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PUBLIC HEARINGS





Discussion Paper 2

Focusing the Dialogue





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Royal Commission on Aboriginal Peoples

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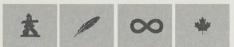
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Preface

We would like to thank all those who appeared before the Royal Commission on Aboriginal Peoples in the second round of our public consultations. This document reflects the dialogue we are beginning to hear among those who are committed to the idea that real change is possible in the forces and structures that govern the relations between Aboriginal and non-Aboriginal people in this country. It is meant to stimulate and focus discussion in the third and fourth rounds of our hearings, which will be held in May/June and October/November of this year.

The second round of hearings began the day after the constitutional amendments proposed in the Charlottetown Accord were defeated in the referendum of October 26, 1992. Some people told us they regretted the outcome. But more said they welcomed it. They spoke warmly about the increased public awareness of Aboriginal issues that had been generated by the process of public debate on the amendments. And they spoke thoughtfully about the need for leaders to return to their communities and constituencies, to listen and hear what people there are saying about the best ways to make modifications in the political and social systems of Canada that determine the shape of their lives.

We believe that the work of the Royal Commission has gained in significance because of the referendum results and the interruption in negotiations between governments that it may have caused. We have been granted a time for rethinking options and approaches and for continuing the exchange of ideas that has already begun. We hope many more people will join us in the Commission's future rounds of public consultation to take full advantage of that opportunity.

In this document, we are trying to focus the dialogue by calling attention to four 'touchstones for change' on which speakers before the Commission have anchored their presentations time and time again. They are

- a new relationship between Aboriginal and non-Aboriginal people,
- self-determination,
- self-sufficiency, and
- healing.

We would like to contribute to the conversation among Canadians by sharing with readers what Aboriginal and non-Aboriginal people are saying about their visions for the future in these terms — visions they would like to make real in their lifetimes. We would like as well to promote new dialogue by asking whether these touchstones should become the Commission's guiding objectives as we work to develop recommendations that will bring change to Aboriginal people's lives.

In fulfilling our mandate, we are drawn naturally to the positive signs that reconciliation and renewal in the relationships between Aboriginal and non-Aboriginal people are possible. But we are well aware that barriers and tensions block the way. There will be little real change unless these barriers and tensions are addressed. We invite all those with an interest in the outcome of the work of the Royal Commission to participate in the next rounds of hearings with that goal in mind, and we look forward to intense discussion.

René Dussault, j.c.a. Co-Chair

Kene Vissault

Georges Erasmus

Co-Chair

The Royal Commission on Aboriginal Peoples

Co-Chairs

René Dussault, j.c.a.

Georges Erasmus

Commissioners

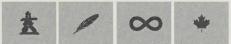
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Mary Sillett

Bertha Wilson



Introduction



Presenters have told us that reconciliation among Aboriginal and non-Aboriginal people will elude us unless conspicuous progress is made toward self-determination, self-sufficiency and healing for all First Peoples.

The Royal Commission on Aboriginal Peoples conducted its second round of public hearings between October 27 and December 10, 1992. In 49 days of hearings, the seven Commissioners, travelling in three teams as they did in the first round, visited 36 cities, towns, villages and reserves across the country. (A list of the locations appears in an appendix.) We exchanged ideas with more than 600 presenters, including a higher proportion of non-Aboriginal individuals and organizations than appeared in the first round. We offer our appreciation to everyone who spoke before us, adding their voices to the growing number of people who are helping us to understand better the situation of Aboriginal peoples in Canada today and to move toward recommendations for fundamental change in the formal and informal relations among us all.

Following the opening round of hearings, conducted in April, May and June 1992, the Royal Commission published its first discussion paper, *Framing the Issues*. Its purposes were

- to present a compendium of the main issues raised by those who had spoken to us by that point, in their own words but organized within the Commission's framework for analysis; and
- to ask a series of fundamental and specific questions flowing from the hearings that Commissioners felt needed to be discussed more thoroughly in the continuing public dialogue.

This second discussion paper, Focusing the Dialogue, is in part a reflection of what was said in the second round of public hearings.* But it is also a first, tentative step in the Commission's process of deliberation.

We are committed to fulfilling our mandate with practical recommendations for positive change in Aboriginal people's lives and in their relations with non-Aboriginal Canadians. We will not be satisfied simply with producing another recital of familiar problems. On these grounds, Commissioners decided it was necessary to begin now to develop a preliminary framework for assessing the recommendations and proposals we are hearing - those that are emerging from public consultation as well as those that are soon to come forward from our Research and Intervenor Participation Programs.

This preliminary framework takes the shape of four 'touchstones for change' — core ideas that have appeared as starting points and as end goals for many of the participants in our first two rounds of hearings. In this discussion paper, we hope to promote debate on the content and priorities for our work by testing them as guidelines for possible recommendations. We would like to find out how widely they are shared, not just among Aboriginal peoples and governments, but among non-Aboriginal people and governments as well, for if meaningful change is to take place, their commitment is essential too.

The four touchstones are

- a new relationship between Aboriginal and non-Aboriginal people in Canada;
- self-determination for Aboriginal peoples within Canada through self-government;
- economic **self-sufficiency** for Aboriginal people;

■ personal and collective **healing** for Aboriginal people and communities.

We will discuss the four touchstones in separate chapters, but we realize they are not, in reality, separate. They are deeply interdependent, change in each fostering the possibility of change in the others. Presenters have told us that reconciliation among Aboriginal and non-Aboriginal people will elude us unless conspicuous progress is made toward selfdetermination, self-sufficiency, and healing for all First Peoples. Self-determination, expressed through self-government, cannot be exercised without a solid foundation in economic selfsufficiency. Conversely, self-government is a tool to bring economic objectives to fruition. And to complete the circle, positive change in any of the areas named requires deep healing in Aboriginal communities to mend the wounds inflicted throughout the colonial past.

By presenting the touchstones for change in preliminary form now, the Commission is inviting critical responses from Aboriginal and non-Aboriginal communities alike. Our intention is to extend and focus a dialogue that is already under way and to share the process of developing our recommendations.

Seeking Solutions

The Commission is seeking solutions to persistent social and political problems that have been described many times before, but with little impact on the priorities of Canadian governments or the realities of Aboriginal people's lives. It is the Commission's hope that its work will leave a legacy of useful and substantial ideas for change on many fronts. We hope we can help shift slow-moving political processes into a higher gear and open the minds of more non-Aboriginal Canadians to the rich possibilities that lie in sharing this country more generously with those who began to share it more than 500 years ago.

Of course, Commissioners are not alone in their desire to move toward useful recommendations

^{*} An overview of the presentations made before the Commission in the second round can be found in An Overview of the Second Round of Hearings of the Royal Commission on Aboriginal Peoples, published simultaneously with this discussion paper.

with genuine and positive effects on the daily lives of Aboriginal people. That goal is shared, we believe, by a majority of Canadians and by almost all those who have appeared before us. As we move from the listening phase of our work to the phase of dialogue and deliberation, it is important that we give careful consideration to what people have told us about the solutions they are seeking. There are several common themes:

- Aboriginal presenters reminded us that they have been offering solutions to the problems in their communities for decades. Although they do not claim to have all the answers, many told us that the fundamental impediment to change and progress is not lack of solutions, but lack of the political will to put them into effect.
- Many other presenters told us that to be effective, solutions must come from Aboriginal people themselves. It has been one of the sorry characteristics of past relations between Aboriginal and non-Aboriginal people in Canada that the latter have assumed they could and should draw up plans for the lives of the former.
- Some presenters told us that there are no universal solutions, that Aboriginal communities in their great variety need to develop solutions appropriate to their circumstances, to their cultures and unique histories, and to their own priorities.
- Others said that although there is much that is common in the needs and aspirations of all Aboriginal peoples, the concerns particular to Métis, to Inuit, to 'non-status Indians', to urban Aboriginal people, and to Aboriginal women must be addressed separately.
- Some argued that non-Aboriginal people must change first, that they must come to understand and accept the cultural uniqueness and independence of First Peoples as a first step to equality. It is their contention that the relations of power between non-Aboriginal and Aboriginal peoples are the major barrier to change and reconciliation.

- Others said that at least the most extreme conditions of poverty and disadvantage facing some Aboriginal people must be alleviated before other, more long-term solutions can be put into effect.
- Many told us that self-government is the solution the first and essential step to fundamental change in Aboriginal communities and individual lives. In their view, much of the anger and despair now felt by Aboriginal people can be replaced with optimism and energy if they gain a measure of genuine control over the decisions that most closely affect them.
- Some spoke of the need for more money for major new programs to address the broad range of problems facing them. Their ancestors agreed to share the country, they told us, but the wealth of the country has not been justly shared with them.
- Still others spoke of the need for deep healing by individual Aboriginal people, their families and their communities, as a first step to renewal. The path from individual self-esteem to community self-respect to mutual respect among all peoples will not be short or easy, they said — but it must be travelled.
- Finally, many presenters identified tradition as the wellspring of new directions for Aboriginal communities. The Commission was told that the wisdom of elders and the values of original cultures must be an integral part of new programs and institutions if they are to respond sensitively to Aboriginal needs.

Focusing the Dialogue

In Focusing the Dialogue, we begin to explore how the four touchstones provide a focus, a set of organizing principles, for thinking about change in one or more of the areas of concern defined by our mandate. Each chapter is an attempt to reflect back to readers what the Commission has heard about one of the touchstones: what it is, how the problems it refers to might be solved, and what some of the models for change might look like.

Space permits us to highlight only a few of the hundreds of helpful presentations and submissions already made to the Commission. By citing them, we do not mean to endorse some or reject others. We put them forward as illustrations of the ideas we have heard and as sparks to the discussions that are beginning to take place among Aboriginal and non-Aboriginal people across the country.

Focusing the Dialogue is organized in four chapters that correspond to the touchstones:

- The Relationship
- Self-Determination
- Self-Sufficiency
- Healing

The paper is published as part of the Commission's commitment to open, continuing dialogue with all those concerned with its work.



The Relationship



The members of the Royal Commission on Aboriginal Peoples believe that we have an opportunity to move toward reconciliation. We do not underestimate the barriers, but we believe that more Canadians than ever before are ready to try.

The Goal: Equality, Respect and Reconciliation

The Commission has been told that its first task should be to demonstrate to all Canadians that the original and enduring presence of First Peoples is a fundamental, immutable characteristic of the country. We have been urged to make clear that neither the historical formation nor the modern essence of Canada is comprehensible without recognition of the contributions of all its peoples:

- those who were here first: the Naskapi, Gitksan, Dene, Ojibway, Dakota, Micmac, Huron, Inuit, Cree, Salish, Innu, Mohawk, Tlingit, Maliseet, Gwich'in, Saulteaux and all the others;
- those who came after, whether French- or English-speaking, eventually to form the new country of Canada in 1867, joined soon after by the Métis Nation in 1870;
- those who followed them, from all over the world, agreeing to live within Canadian laws and institutions.

We are united by our desire to live together peacefully and productively in Canada. Throughout our history, we have struggled to resolve the many tensions between our common interests on the one hand and our differences of culture and relative power on the other. Indeed, the strain between interdependence and independence among the people of Canada is a defining part of who we are. It is part of the past and part of the current national dialogue, and it will be part of the future relationships among us.

We cannot ignore the fact that, as Aboriginal and non-Aboriginal people, we are faced with a difficult legacy arising in part from a history of classic conflicts between settlers and indigenous peoples within our borders. The relations of reciprocity that characterized the period of first contact gradually gave way to relations of domination by non-Aboriginal people, with the many damaging consequences for Aboriginal people that the Royal Commission has heard described. To bring about a reconciliation, we need a new way of relating to one another; it must recognize the many commonalities shared by Aboriginal and non-Aboriginal people — but it must also recognize the differences between them.

The members of the Royal Commission on Aboriginal Peoples believe that we have an opportunity now, as a country, to move toward that reconciliation. We do not underestimate the barriers, but we believe that more Canadians than ever before are ready to try.

The idea of Aboriginal peoples as the first peoples to govern this land has implications for the balance of rights and responsibilities in Canada today — implications that might have been expected to infuse every institution and social policy in the country with a spirit of tolerance and respect. The contrary is true. Aboriginal people, both individually and collectively, are faced with ignorance of their cultures, social exclusion and personal disrespect in many parts of non-Aboriginal society.

Speaking personally...I have witnessed countless acts of discrimination against Aboriginal people.... Such acts may be purposeful or they may be unthinking, it makes no difference; they are wrong.

Margaret McCullough Yukon Human Rights Commission Whitehorse, Yukon, 18 November*

I think most of us here are very aware of the common assumption that Native people get everything for free. In reality, when you sit down with Native people, it is not free. If there is any group of people in Canada having a hard life...it is the Native community.

> Maffat Makuto Multicultural Association of Northwestern Ontario Thunder Bay, Ont., 27 October

When another culture is imposed upon children, when another language is imposed upon them, when the values and cultural mores of one particular group of people are imposed upon another, that is a process of what I call 'cognitive imperialism'. And we have been subjected to this cognitive imperialism from the time formal schooling began among our people.

Marie Battiste Eskasoni School Board Eskasoni, N.S., 7 May

The Métis culture is only given a few pages...in the history books.... The focus has always been on the Riel Rebellion and the incidents that led up to that, but what happened to [the Métis] afterwards was never focused on, and that...is a denial of a culture.

Colleen Wassegijig Scarborough Board of Education Toronto, Ont., 3 November

^{*} Quotations are from the transcripts of the Commission's public hearings and show the presenter's name, organizational affiliation (if any), and the location of the hearing at which the presenter spoke. Unless otherwise noted, all dates are in 1992, when the Commission's first and second rounds of hearings took place.

The Inuit have suffered many losses of things they value and hold important. We feel a sense of being robbed of things that were very important to our way of life.... We must learn to grieve our sense of cultural loss, express our deep emotions, and return to effective, productive living in the present and for the future.

Henoch Obed Labrador Inuit Alcohol and Drug Abuse Program Nain, Labrador, 30 November

Explanations for the lack of equality and respect between Aboriginal and non-Aboriginal people in Canada are many and complex, and fall outside the scope of this discussion paper. In the end, perhaps they all point to the same problem: the widespread inability or unwillingness of people in the dominant, non-Aboriginal society to honour the right of other people to be different — not just different in a limited, private sense, but collectively and publicly different.

The right to be different implies a concept of equality that is not fully embraced by non-Aboriginal people. In fact, it poses a deep challenge to the more widely accepted European idea that equality is something possessed by and measured between individuals. In the alternative view, the importance and enduring nature of collective differences are just as important.

One person who spoke on this subject referred us to a definition of the collectivist approach to equality made by Commissioner Rosalie Abella in the report of the Royal Commission on Equality in Employment (1984).

I would like to end my presentation by quoting from...Judge Abella: "Sometimes equality means treating people the same despite their differences, and sometimes [it means] treating them as equals by accommodating their differences."

Louise Chippeway Aboriginal Advisory Council to the Manitoba Civil Service Commission Roseau River, Man., 8 December It is the second part of Commissioner Abella's definition that is hard for many non-Aboriginal Canadians to accept, especially when it requires government action to accommodate difference. Even those with genuine respect for Aboriginal people as individuals often believe they should not seek special protection or programs to preserve their cultures.

In Framing the Issues...the Commission noted that Aboriginal people want to be more autonomous and self-sufficient, and next that they want more and better programs from governments. These are very human goals, but somehow to me the two statements do not sound consistent. To be autonomous and self-sufficient means that you should be capable of looking after yourself, not dependent on governments....

I believe maintaining cultural diversity is a worthwhile goal of Canadian society, even a necessity.... Therefore, Aboriginal groups must be encouraged to preserve their heritage and develop their culture in natural and new ways.... But it must be remembered that government cannot legislate the saving of a heritage or practice of a culture. This must come from within the group.

Bob Bromley Individual presentation Yellowknife, N.W.T., 9 December

For many non-Aboriginal Canadians, active accommodation of difference is equated with privilege and viewed negatively. They would prefer to treat difference and collective identity as having only private value and no public consequences. They would reject affirmative action in hiring practices, or separate justice or child welfare systems for Aboriginal people. As well, they would reject special financial provisions, such as tax exemptions or funding for higher education, which are argued to stem from treaty guarantees designed to recognize and safeguard the unique position of First Nations in a changing North American society.

Acknowledgement of collective rights and protection for collective identities is precisely what Aboriginal peoples are urging. They say that the goal of individual equality so often proposed by non-Aboriginal people can be reached only at the cost of what makes them unique — their rights as Aboriginal peoples, their languages, their belief systems, their values, their family structures — in short, their very cultures. For them, that is not equality at all, but domination.

When I see self-government [come into being], one of the things that I would like to see is equality in the education system for our people. By equality, I don't mean we should apply all [these European ideas] to our education system. I mean our people run the education system the way it should be [for] Native students. We want our people to know not only their own hereditary being, but their own background, their history, their languages and everything, everything that should have been part of the education system right from the start, right from the beginning.

Unidentified speaker from the floor Stoney Creek, B.C., 18 June

It seems to the Commission, and to many who have appeared before us, that the possibility of a relationship of mutual respect between Aboriginal and non-Aboriginal people depends on the strong, sure, self-confident and healthy, independent cultures of all of the peoples involved. The alternative is a relationship of continuing domination.

The development of good relations must acknowledge the principle of mutual respect as the context in which each society will be able to develop. If one of the societies imposes its [institutions] on the other, the latter will react with hostility, adopting an adversarial attitude, because it feels restricted where its most fundamental rights are concerned.... We believe that a dominant society has the

responsibility to protect its minorities from eventual assimilation.

Simon Awashish Council of the Atikamekw of Manawan Nation Manouane, Que., 3 December [translation]

When you build a bridge, you want the footings to stand on firm ground at both ends, and you want the bridge itself to be solid as well. So [first] you help the Natives to consolidate their way of life; then you can build the bridge together.

Andrew Wesley Kunuwanimano Child and Family Resources Tabled brief Timmins, Ont., 5 November

The Commission concurs with this view. The means by which the footings for such a bridge should be built will be explored in the following chapters of this discussion paper: self-determination, self-sufficiency and healing. But of equal concern in reforming the relationship among the people of this country is the need for changed attitudes and behaviours on the part of non-Aboriginal people; some have argued in fact that this is of greater concern.

The problem on which your Commission's mandate is based has never, in essence, been an Aboriginal problem. It is of course a problem for Aboriginal people, but the source of the problem, and thus also its solution, needs to be sought in the society that has the power to create problems and also to resolve them. Therefore [the Commission] must pay [the most of its] attention to the non-Aboriginal people.

Bernard Arcand Anthropology Department, Laval University Wendake, Que., 17 November [translation]

Presenters from many communities told us that a thorough transformation of non-Aboriginal thinking about Aboriginal peoples is required—that racist attitudes of individuals and discriminatory practices by social institutions must be rejected, and that the relationship between Aboriginal and non-Aboriginal people must cease to be defined in terms of the power of the dominant society.

Elements in the Solutions

The essence of the Commission's mandate is to bring about a new relationship between Aboriginal and non-Aboriginal people in Canada. It is to be expected, then, that all our work, all the positive ideas and models for change we are examining in this and other papers, are 'elements in the solutions' to the problem of reconciliation. And they are. In fact, most of the ideas for change in the relationship we heard came up as part of a discussion of one or more of the other touchstones for change. Presenters have told us that the new relationship depends on the settlement of land and treaty rights, consolidation of an inherent right of selfgovernment, improved economic opportunity and cultural renewal. It is by these means that Aboriginal people can begin to heal their lives and their communities and relate to non-Aboriginal people and institutions on a stronger and more equal footing.

But the role of non-Aboriginal people in the reconciliation must be examined directly. It is therefore a major objective of the next round of the Commission's public consultation to obtain greater participation from non-Aboriginal individuals and organizations. In particular, we are interested in hearing their ideas about how to change non-Aboriginal institutions, attitudes and behaviour toward Aboriginal people.

To this point in our proceedings we have heard a number of presentations about encouraging a new relationship through the following mechanisms: public education; cross-cultural education and training; anti-racist education and policies; legislated change; and reformulation of the relations of power.

Public Education

No subject was raised more often with Commissioners than the need for more and better education for non-Aboriginal people about First Peoples. According to what we have heard, little of substance or sympathy is now taught in schools about Aboriginal history, culture or present-day life. Where such teaching is done, it appears to have little impact.

We have also been told that without accurate knowledge of 'the other', it is all too easy for negative stereotypes and simple ignorance to strangle the lines of communication.

The first principle [of cultural accommodation] is knowledge of the other.... I believe it is the most fundamental principle in any human relationship, whether between individuals or between groups, and that so long as there is a lack of knowledge of the other, any prospect for re-establishing the...relationship between Aboriginal and non-Aboriginal may be illusory, if not utopian.

François Trudel Anthropology Department, Laval University Wendake, Que., 17 November [translation]

For many presenters, the starting place is in the school, where knowledge is the currency, but where Aboriginal people are either absent or shabbily treated, especially in history.

I was taught by the white society.... I was taught how great Joey Smallwood is, and how great John A. Macdonald is. I was taught how to sing "O Canada" and "Honour [Ode] to Newfoundland." One thing I was never taught is the history, the rich history that we have, the people here in Utshimasits. I wasn't taught how great my people were, how great my ancestors were, how far the distances were they travelled from the Quebec border to everywhere in Nitassinan.... The [other]

thing they never taught me was...that [it was the Newfoundland government that] flooded our lands and took the iron ore and destroyed lands in our other neighbouring Innu communities.

George Rich Vice President, Innu Nation Davis Inlet, Labrador, 1 December

They say that history is each person's reality or each person's perception of experience. [Aboriginal peoples] have our own reality of who we are, and somewhere along the way I would like to see that [told]....

I feel bad when I ask a non-Native child what they know about the First Nations of the land. Their knowledge consists of old historical write-ups by [people] who were biased in the first place.... We are the First Nations of the land, but more knowledge is known about that little guy who got lost in 1492 than [about] us.

Rita Joe Educator and author Eskasoni, N.S., 15 June

In Saskatchewan, the department of education has invited advice from the Indian and Métis Education Advisory Committee on the creation of a province-wide curriculum to reflect the lives of Aboriginal people, past and present, more accurately. Guidelines include the following items, which exemplify some of the ways schools can contribute to a renewed relationship:

Indian and Métis peoples must be presented fairly in all curriculum materials approved by the province, including both text books and supplemental materials. Indian and Métis materials must be an integral part of the curriculum, not a supplement or adjunct.

Indian and Métis materials must be presented in all subject areas, and contemporary materials on Indian and Métis peoples must complement heritage materials. Indian and Métis peoples must not be presented only as historical [figures].

Karon Shmon Indian and Métis Education Advisory Committee Saskatoon, Sask., 27 October

But school children are not the only ones who face a lack of information and misinformation about Aboriginal people. The same lack faces all non-Aboriginal people in Canada, because they have so few opportunities to read about or see First Peoples in the media — except in news coverage of conflicts and crises. Aboriginal news stories and features are beginning to appear occasionally in some mainstream media, but Commissioners were told that their interpretation by Aboriginal reporters is almost non-existent.

In a democratic society, news media ensure that information is communicated to the public. Many of the myths and misperceptions which persist among non-Aboriginal people are perpetuated by no communication, poor communication, or one-sided communication.

Current efforts to remedy inaccuracies in 'mainstream' news coverage of Aboriginal issues are an important beginning, but they are far from enough. Non-Aboriginal journalists are slowly becoming better educated to the issues and peoples they report. 'Mainstream' news media are broadcasting and publishing reports and columns by (usually part-time or freelance) Aboriginal journalists.

Aboriginal people remain underrepresented in these media, both in accurate coverage and in employment.... The Aboriginal-run news media are unfunded or underfunded, and must often rely on volunteer labour to continue. The crucial and highly successful Aboriginal Communication Societies which government helped to establish are threatened with extinction.

Bud White Eye Native News Network of Canada Toronto, Ont., 3 November

Cross-Cultural Education and Training

One kind of education is called for with particular urgency: education designed to produce heightened sensitivity to the needs and values of Aboriginal clients among non-Aboriginal service providers. All across the country there are non-Aboriginal people in government agencies, in health and social service facilities, in courts and in jails, attempting to deliver programs to Aboriginal people. Often they have little understanding of the differences between their approaches to problems and problem solving and those of the people they are trying to assist. Usually, they will have had no opportunity to develop such an understanding, for the idea of cross-cultural training is only now beginning to find acceptance in mainstream institutions.

We must forcefully promote change to the [justice] system to allow for the variances between Native and non-Native societies. This will only come about if officials are subjected to intense crosscultural training by force of government policy. There are [now] forms of crosscultural training for non-Native police officers given at the Canadian Police College, for example. I feel that this form of training can also be given to justice officials and, hopefully, this shall open their eyes to the needs and concerns of First Nations people.

Gordon McGregor, Chief of Police Kitigan Zibi Anishinabeg Council Maniwaki, Que., 2 December Anishnabe women play an important role in the operation of Phoenix Rising [Women's Centre].... These roles are not as a stoic 'token Indian' or as a generous gesture from the kind hearted 'white women'. These roles combine guidance, teachings and knowledge from Anishnabe and non-Aboriginal women who share our concerns....

Recently, Anishnabe professions sponsored a Cross-Cultural Workshop to provide a cultural link for non-Aboriginal agencies and organizations and service providers who were and are directly affiliated with our people....

The workshop proved to be an enormous success. Evaluation comments included: "The information presented here was very appropriate and clear as to the nature of Native culture." "We need more workshops like this, more professional people need to attend." "Very good beginning to a process that is long overdue. Cross-culturalism is the vehicle which will provide a better understanding of each culture and thereby beginning the healing process."

Lorie Boissoneau-Armstrong Phoenix Rising Women's Centre Sault Ste. Marie, Ont., 11 June

Anti-Racist Education and Policies

Few Canadians describe their society as racist or identify people they know as racist. It is an ugly word to describe an ugly phenomenon. Yet the Commission has heard a great deal about the prejudice and discrimination Aboriginal people endure daily when they come into contact with non-Aboriginal people.

We have been told by those who have studied racism that it harms not only its direct victims but all of the society in which it occurs. One of its negative effects in our society is to rob nonAboriginal people of much that could be learned from Aboriginal cultures and shared among us.

Prejudice has prevented non-Aboriginal society from recognizing the depth, sophistication and beauty of our culture.

Chief Eli Mandamin Shoal Lake First Nation #39 Kenora, Ont., 28 October

[Our cultures] have to be integrated, because...the [traditional] Aboriginal person cannot exist, and he is dying. He does not know how to live in the society that he has to live in. And the non-Native person is having great difficulty [too]. So we need to learn from each other, we need to share and operate these [two] equal value systems.

Rosemarie Moffit Individual presentation Toronto, Ont., 25 June

Anti-racist policies and strategies usually involve education and cross-cultural sensitization, but their particular strength lies in the directness of their identification of racism in both individual actions and institutional settings. Their goal is to be very clear about what racism is, how it operates, and what to do about it.

The Saskatchewan Department of Education, working together with the Human Rights Commission, the Saskatchewan School Trustees' Association and the Saskatchewan Teachers' Federation, have developed, together, an anti-racism kit that teaches teachers and school administrators about racism and provides a framework for eliminating it from the classroom.

It does more than that. It provides a complaint mechanism: what you do if you experience racism student-to-student, teacher-to-student, student-to-teacher, et cetera. It provides a method, a way of dealing with the issue so that there can be no confusion. Who do you contact? How are parents contacted? How do we deal with this problem? And there

are consequences to people's [racist] behaviour.

Theresa Holizki Saskatchewan Human Rights Commission Saskatoon, Sask., 28 October

Legislation

One of the mechanisms debated before us as a means of improving the relationship between Aboriginal and non-Aboriginal people in Canada is legislated change. Human rights legislation certainly has its supporters, although it has also been criticized as having a limited, mechanistic approach to both the problems of prejudice and discrimination and their solutions.

Anti-discrimination legislation [addresses] the problem of individual acts of discrimination perpetrated against other individuals. It aims to identify the 'bad apples', the perpetrators of discriminatory conduct, through a complaints-based model of enforcement. The paradigm [is] heavily individualistic and fault-oriented, grounded in an abstract, incomplete vision of social reality and a belief in the virtues of formal equality.

Donna Greschner Law Faculty, University of Saskatchewan Paper prepared for the Royal Commission's symposium on Aboriginal research April 1992

Similarly, legislated affirmative action programs have been widely discussed, both as a tool to increase the representation of Aboriginal people in the labour force and as a possible mechanism of support for Aboriginal people in social institutions set up to service others. Affirmative action is controversial too. Some of its critics, almost all of them non-Aboriginal, have labelled it 'reverse discrimination'. Other critics, while supporting its goals, have found it ineffective when presented to employers in its usual form, namely as an option for voluntary compliance.

Basically, my position is that affirmative action has failed Native people in Canada. It was designed to facilitate their entry in terms of their numbers in the work force, and this has not been achieved anywhere in Canada or anywhere close....

Affirmative action in Saskatchewan is voluntary. Companies are asked to join. And as I mentioned, not many do join. If they do join, they are expected to set quotas. And the quotas in the long term — and they are very long term, in some cases up to 25 years — [are weak].... There are no requirements, no regulations, no penalties for noncompliance. This is [a major] weakness, that it is totally voluntary....

The American experience, in my opinion, is the only answer. They have firm quotas. Any agency dealing with the federal government, educational institutions, employers with significant federal contracts, must meet quotas that are set by the government. And if they don't meet these quotas they do not get the contract and they are publicly rebuked. The federal money is cut off immediately. That is a firm quota, and to me, that is the only route to go. The voluntary system in Saskatchewan in 12 years has not worked.

John Hart Individual presentation Saskatoon, Sask., 28 October

We hope to hear further dialogue on the usefulness of legislated change in future rounds of our public hearings.

Reformulation of the Relations of Power

The Commission does not wish to give the impression that it thinks the relationship between Aboriginal and non-Aboriginal people in Canada can be easily recast. It is of longstanding duration; it is deeply embedded in

our society; and it revolves around power. As useful as the elements in the solutions presented here may be in helping us move toward reconciliation, that goal cannot be reached without a rebalancing of the power relations between Aboriginal and non-Aboriginal people. A number of presenters reminded us of just that.

The first thing is, we have to be able to share the power. Until we are going to make that leap, there is not going to be change.

> Theresa Holizki Saskatchewan Human Rights Commission Saskatoon, Sask., 28 October

If we are to conduct true negotiations, we should acknowledge that there must be equal power. I do not believe that at this point...the Aboriginal people have any real bargaining power.

Bernard Cleary Individual presentation Wendake, Que., 17 November [translation]

To read the Commission's Discussion Paper #1, [it would seem as if] we are at the dawn of a new era of decolonization. Without wanting to say that the Commission's perspective on this...hardly reflects reality, I believe that we must be very cautiously optimistic on this point....

The reversal of a given order in the relationship between the dominant and dominated society, particularly when that order has existed for a long time, is not an easy thing to do, given that structural, and not simply circumstantial relations have developed over the years and require time, a great deal of time, before they can be transformed....

Numerous problems have been identified and a variety of solutions proposed. However, the current situation in which we find ourselves...clearly shows that we have not attempted to institute any real solutions, either from lack of means, or more likely, from lack of political will.

François Trudel Anthropology Department, Laval University Wendake, Que., 17 November [translation]

Some of the most detailed presentations on possible ways to redistribute power came from those who see recognition of the spirit and intent of the treaties between Aboriginal people and the Crown as a means of restoring the independent power of First Nations.

The Royal Commission on Aboriginal Peoples must work tirelessly to convince the Government of Canada to respect a true and living relationship between itself and our First Nations as treaty First Nations. We must breathe new life into implementing the spirit and intent of our treaty relationship. The health and prosperity of both Aboriginal and non-Aboriginal people depend on this. Here is what we have to do:

- 1. Recognize and accept that our cultures are different and that Aboriginal cultures must not be suppressed.
- 2. Recognize that Aboriginal culture is not inferior to or less sophisticated than non-Aboriginal culture, especially in relation to the land.
- 3. Recognize that Aboriginal culture has not and never has been a subsistence culture....
- 4. [Recognize that] the spirit and intent of the treaty relationship is based on nationto-nation relationships between the First Nations and the Government of Canada.
- 5. This relationship must recognize the differences between our cultures, especially with respect to our land. We must come to a consensus as to how to share the land and the benefits that it can

bring to all of us in a way that does not push aside our Aboriginal culture any longer.

6. The Government of Canada must come to terms with its own historical self-interest in its relationships with our people that are expressed in the white man's legal documents relating to treaty relationships.

Implementing the spirit and intent of our treaty relationship will be a greater challenge to every government in Canada. Indeed, it will be a great challenge to all Canadians. Our challenge is nothing less than to develop tolerance and respect for each other. We must have a pluralism in this country which allows our Aboriginal laws, traditions and customs to flourish.

Chief Eli Mandamin Shoal Lake First Nation #39 Kenora, Ont., 28 October

This approach might seem to exclude non-treaty people, but some have argued that it does not necessarily do so. The Commission is interested in hearing further dialogue about the potential for extension of treaty principles, perhaps to all Aboriginal people. But whether treaties or other means are ultimately used to effect change, we urge those who are following the Commission's work to give serious consideration to the question of reformulating the relations of power between Aboriginal and non-Aboriginal people as an essential part of a new relationship between them.

Models for Change

The Commission heard discussion of a number of ideas for change, ranging from very particular, detailed reforms to broad principles for new institutions and new modes of relating as people in Canada. We know there are more to come. They will receive thorough examination by the Commission and its staff and more analysis in later publications.

As well as these inclusive approaches, Commissioners heard a few presentations on more specific models for making changes in the relationship. These models focused on innovations in education as the way to dispel the widespread ignorance, negative stereotypes and indeed the racism that now interferes with Aboriginal and non-Aboriginal relationships. In many cases, these models are being developed by Aboriginal and non-Aboriginal people working together.

An Equity Plan for Schools

The Saskatchewan Human Rights Commission made a wide-ranging presentation, describing several of the educational program ideas which it has developed. One of the most interesting was its equity plan for schools. The provisions of the plan touch on some of the elements in the solutions we heard elsewhere, including direct support for Aboriginal children in order to equalize their educational chances, curriculum redesign aimed at non-Aboriginal children, cross-cultural training for staff, and policy review to eliminate discriminatory practices.

What the [Human Rights] Commission did after holding hearings [about discrimination in the education system] was [to] establish an educational equity plan. It is a special affirmative action plan that has five components to it. All school divisions that had a component of five per cent Aboriginal children had to participate in this program.... There are five components to an education equity plan.

The first is to recruit more Aboriginal teachers in all of our schools.

The second is to involve Aboriginal parents in the education of their children....

The third component is to put more Aboriginal content into the curriculum.... We have prepared and sent out to all school divisions, all schools in the province, lesson plans that deal with Aboriginal history and the problems of discrimination....

The fourth component of education equity is providing cross-cultural training for all school staff and for school administrators.... Unfortunately, not all school divisions have done that yet, and it is something that the Commission is seriously thinking of mandating....

The final component is a review of all school policies to make sure that while they may appear neutral, they do not intend to discriminate, again to remove systemic discrimination....

Many school divisions have taken this to heart and have gone right to Aboriginal organizations to improve their policies.... That kind of affirmative action program fights against systemic discrimination.

Theresa Holizki Saskatchewan Human Rights Commission Saskatoon, Sask., 28 October

Cross-Cultural Education and Training Programs

Commissioners heard a number of calls for cross-cultural education and training for those who work with or provide services to Aboriginal people, but they heard few descriptions of working program models.

If we are serious about addressing the difficult position that Aboriginal people are put in when they interact with the present justice system, we must find ways for the system to recognize Aboriginal beliefs and values, to the extent that Aboriginal people will feel that the system has treated them fairly and in a way which respects them as individuals of their society.

One of the ways that has been suggested in some of the reports is through crosscultural training. It is an approach which is based on the premise that, in order for one culture to take into account the other culture's beliefs and values, it must first understand the beliefs and values of the other culture.

> Steven Katz Walsh Micay and Company Fort Alexander, Man., 30 October

We heard some evidence that cross-cultural education and training can alleviate even longstanding tensions between Aboriginal and non-Aboriginal people and organizations.

It's so ironic that DFO [the federal Department of Fisheries and Oceans], our enemies for the last ten years or longer, as far as I can remember, would come up with a cross-cultural program. What's going on now is that...all DFO officials from the [New Brunswick] and Nova Scotia offices [meet with our leaders] — and they give presentations to those people, which I think is important.

I think it's important that the people in different departments realize what the Indians are doing and...learn from the Indian: they have to learn from us, not from their own.... And I gained a lot out of this [too]. It gives us a chance to hear their side, and it gives them a chance to hear our side.

Councillor Edwin Bernard Tobique First Nation Tobique, N.B., 2 November

We also heard criticism that where such programs are tried, they are often not effective in changing the deep-seated attitudes and behaviours that demean Aboriginal people.

Our women are very much interested and involved in making the non-Aboriginal organizations that deliver services to our people more responsible. It has been thought that one of the keys is crosscultural awareness and training for those organizations....

Well, if it is being done, it is not working. Our people are still being alienated and patronized, and as a result refuse to utilize those agencies and organizations. The worst offenders are those provincial and federal government departments that supposedly have mandatory anti-discrimination policies and staff supposedly trained to be sensitized to the issues of its Aboriginal clientele.

Kula Ellison Aboriginal Women's Council Saskatoon, Sask., 28 October

It would be helpful to hear further dialogue on the merits of cross-cultural education and training and descriptions of successful programs.

An Anti-Racist Initiative

Anti-racist initiatives can be undertaken in any institution or community. Because the Commission recognizes the importance of the perspectives of Aboriginal youth, we were especially interested in a presentation on that subject by students in a Native studies class at North Battleford High School. Their analysis of their experiences of racism led them to make several recommendations for change in their community.

This presentation, which reflects the experiences, attitudes and beliefs of Aboriginal youth in the Battlefords region, is the result of an undertaking in a Native studies class at North Battleford Comprehensive High School. It is the product of two weeks of intense discussion and debate....

One of the problems we found was racism.... All students in this class have had an experience with racism in the community. Businesses, community services, schools and the legal system, work situations, sporting teams and even peer groups, all our society institutions

have been guilty of discrimination against our Native youth. Our proposals are:

- 1. The youth of this community should organize a youth group with the express goal of combatting racism....
- 2. Schools must include programs against racism in curricula at all levels.... The study of Native culture should be compulsory to non-Aboriginal students also. If students see more about Native spirituality, beliefs and values they might understand the Aboriginal way of life and this might cut down racism. Everyone must insist on the respect that they are entitled to as a unique individual while realizing that everyone is part of the same wholeness.

Dawn Campbell Individual presentation North Battleford, Sask., 29 October

Local Initiatives

Steps toward reconciliation can be made at any level and in any context, from society as whole to a single face-to-face relationship. Commissioners listened with interest to a small number of presentations about unique local initiatives that seem to indicate that reconciliation can result from dialogue between individuals and organizations that have been in conflict.

I have been discussing this matter [of reconciliation] with my colleagues, the Bishops of Newfoundland, [in order to plan for] 1993, the year of Indigenous People.

In my own diocese, there is to be a competition for a scholarship of approximately \$2000. I will be inviting

young people...to reflect on the problems of Aboriginal people and the ways of improving relationships between the two groups, Aboriginal and non-Aboriginal. I believe this will make young people think, because in my opinion, no reconciliation can be achieved [unless we] meet, to get to know and admire one another.

Henri Goudreault Bishop of Schefferville and Labrador City Maliotenam, Que., 20 November [translation]

This submission deals with developing working relationships with Aboriginal people to conduct environmental impact assessment studies on two of Ontario Hydro's recent transmission projects in Northern Ontario....

Two essential components formed the basis of this working relationship [with the Wabun Tribal Council]. First, mechanisms were established to address past grievances and other Ontario Hydro issues unrelated to the projects. One mechanism was an issue study group comprised of Chiefs' representatives and Ontario Hydro representatives which would identify past grievances with Ontario Hydro, have them investigated and look for solutions to resolve them. It would also provide a mechanism for investigating and resolving current issues.

The second component was the current joint co-operative socio-economic land use and environmental studies and the community involvement program for the environmental assessments.

Jane Tennyson Ontario Hydro Timmins, Ont., 5 November Change in the fundamental relationship between Aboriginal and non-Aboriginal people will be the cumulative result of hundreds of specific changes, both large and small, in institutions and individuals across the country. What they will all have in common is a new set of underlying principles. A few presenters took up the challenge of identifying new principles to guide the relationship into the next century. The comments of Chief Mandamin in reference to a renewed treaty relationship, quoted earlier in this document, offered one approach. Here is another:

First, the relationship between Aboriginal and non-Aboriginal peoples is a permanent relationship. This means that the basis for any recognition of the new positioning of Aboriginal and non-Aboriginal peoples should be based on the spirit of the Two-Row Wampum, which recognizes that we share the same space in peace, trust and friendship, on parallel but separate paths. We must realize that there is no end to the interpretation of agreements. There is never any final solution.

The second point is about culture. Both First Nations peoples and Canadians have recognized that culture changes. Therefore, to expect Aboriginal people to be frozen in time is totally unrealistic. We must accept that Aboriginal people can make their culture whatever they want and still remain as distinct peoples. We must recognize the legitimacy of their political will.

Third, in order to solve the problem of economic under-development, we must enhance the ideas of jointly formulated policies and joint management systems. In other words, we must share power in areas where interests overlap, and the list is virtually endless as far as I can see.

Fourth, in order to achieve this, we must recognize the value and validity of Aboriginal knowledge, or what some like to call Aboriginal world views — Aboriginal environmental impact studies, Aboriginal child welfare services, Aboriginal justice, et cetera.

Fifth, the final point is about the empowerment of Aboriginal peoples. As non-Aboriginal people, we must be tolerant and accepting of political and social agendas which are not of our own making. Aboriginal peoples must govern themselves in their own ways. We must also, however, recognize that we need 'bridging institutions' to cross cultural divides. These institutions must be jointly built and from both directions toward the middle instead of from one side to the other.

Douglas West Political Studies Department, Lakehead University Thunder Bay, Ont., 27 November

The reconciliation between Aboriginal and non-Aboriginal people is at the heart of the mandate of the Royal Commission. The scope of this presentation serves to make clear that although reconciliation will not be easy to accomplish, it will come a step closer with each bit of progress that can be made in relation to the other three touchstones for change: self-determination, self-sufficiency and healing.



Self-Determination



In Canada today, Aboriginal peoples are making a fundamental choice: to pursue self-government within the structure of Confederation — to join in the process of building a country that derives its strength from the contributions of all its peoples.

The Goal: Control of the Future

Throughout history, peoples all over the world have longed for, laboured for, fought and sometimes died for the right to define themselves and their place in their societies, the right to fair work opportunities and the right to consent to the means by which they are governed — in short, the right to self-determination. Aboriginal peoples in Canada claim that right too. Their longing is as deep and passionate as that of any who have gone before them, their perseverance as unwavering.

Peoples who are unable to exercise the right to self-determination face the possibility of loss of culture, loss of identity, and gradual assimilation — the fate that has threatened Aboriginal peoples in Canada ever since non-Aboriginal people came to be the dominant presence in the country. Despite centuries of intense pressure, Aboriginal peoples have refused to abandon their own cultures in favour of mainstream Canadian culture. Even those who function most comfortably in non-Aboriginal settings often feel a deep commitment to their roots and traditions.

Aboriginal peoples have resisted assimilation, but they have found themselves pushed unwillingly to the margins of Canadian society as well. According to many presenters, they had only two choices: to come to terms with the 'white' culture, which both sucks them in and

spits them out at the same time, or to disappear from sight. The mandate of the Commission is to seek more positive options — options that offer genuine opportunities to Aboriginal people to negotiate how they will participate in the broader Canadian society without sacrificing what gives them their specific identity as Aboriginal people.

Self-determination is the antithesis of forced assimilation and, more important, its antidote. For this reason, public acceptance of an Aboriginal right of self-determination is fundamental to a renegotiated relationship among the peoples of Canada. Only by this signal will Aboriginal people know that all Canadians are prepared to abandon the goal of assimilation in favour of the goal of partnership.

Aboriginal people have made it clear that although the means of implementing self-determination may be negotiable, the principle is not. This presents a substantial challenge to non-Aboriginal people and governments. It is the same challenge that faces all peoples who choose to share a single territory in peace and mutual respect: the need to overcome ethnocentrism, the typically human blindness to the reality of any culture or society but one's own.

It is particularly hard for non-Aboriginal Canadians to deal with ethnocentrism. Most have inherited a version of history in which First Peoples appear on stage only in relation to European exploits: 'discoveries', wars, trade ventures and settlements. There is little room in such a version of history for an Aboriginal point of view; still less for an Aboriginal perspective on the right of self-determination.

Yet to Aboriginal peoples, history — the foundation of the present — begins with their experience. To First Nations and Inuit, the time of their cultural independence is fully alive, not just in song and ritual, but in their conviction about their continuing identity as peoples. The treaties signed between First Nations and the

Crown are as real and basic to them as Magna Carta is to the British. To the Métis, their vital role in the development of Canada and the recognition they have won, lost and won again are central facts of history and contemporary life. If non-Aboriginal Canadians can come to appreciate not just these few facts but the complex Aboriginal self-consciousness they represent, they can begin to understand the Aboriginal claim of self-determination.

Self-determination is a broader concept than self-government. It rests upon the willing consent of a people to the institutions that manage its society. Self-government is one of the means by which self-determination can be achieved. In Canada today, Aboriginal peoples are making a fundamental choice: to pursue self-government within the structure of Confederation — to join in the process of building a country that derives its strength from the contributions of all its peoples.

Almost all presenters shared a few fundamental perspectives on the question of self-government:

- Aboriginal self-government is an inherent right, not a privilege granted or delegated to Aboriginal peoples by other governments.
- This right does not depend solely on whether particular Aboriginal peoples were the original occupants of Canada and were self-governing before contact with European societies. It is a principle affirmed by the spirit and intent of treaties with the Crown, by the terms of the Canadian constitution, by unwritten conventions of British common law, by decisions of Canadian courts, and by the provisions of international law and practice.
- For the Métis Nation, the right is based on their critical role as nation builders as recognized in the *Manitoba Act* of 1870, other parts of the Canadian constitution and the principles of international law and practice.
- The current institutions and policies of government that largely condition and control

the lives of Aboriginal people, based as they are on colonial assumptions, are intolerable.

- Decision making will not likely be organized in the same way by all Aboriginal peoples.
- Aboriginal traditions of government, while in some places perhaps weakened by years of non-use, are still a valid source of principles and ideas for contemporary practice.
- Self-government is the way forward and the main source of hope for Aboriginal people. It is the key to renewing the vigour of communities and societies, a prerequisite for ending the cycle of poverty and despair, and a means of enhancing both the self-respect of Aboriginal people and mutual respect between Aboriginal and non-Aboriginal people. In short, it is the potential turning point of modern Aboriginal history.

The Commission's previous discussion paper, Framing the Issues, bore witness to the shared pain and anger of Aboriginal people over the unhappy circumstances of some Aboriginal communities and individual Aboriginal lives. For many, those feelings have been redirected to the struggle for self-government.

Throughout the country, First Nations find themselves in the midst of a silent war. Instead of soldiers dying, there are children starving. Instead of millions wounded, there is massive unemployment and poverty. Instead of the destruction of bridges and infrastructure, there is the abrogation of treaty and Aboriginal rights....

Lives are being ruined and lost because of bad federal government decisions, specifically [those made by] the Department of Indian Affairs. Never have so few been so wrong with such a devastating effect on so many....

The citizens of Sagkeeng have stated unequivocally that Anishnabe must have full legislative and policy-making powers. Sagkeeng [people] maintain that the

power to establish economic and industrial development, land and resource use, social development, child and family welfare, justice and the legal system, education, health and financial policies, must be legislated by ourselves and no one else.

Chief Jerry Fontaine Sagkeeng First Nation Fort Alexander, Man., 30 October

Aboriginal people have announced their determination to build something better than the system of governance that has failed and limited them for so long. Many non-Aboriginal people have declared support for their efforts, but others have expressed questions and doubts. Aboriginal people themselves offer no simple solutions.

With the goal of encouraging further dialogue, the Commission will set out some of the perspectives that have emerged in our hearings and elsewhere on the best routes to selfgovernment.

Routes to Self-Government

Many of those who have come before the Royal Commission to talk about self-government for Aboriginal peoples have given much of their lives to its pursuit. They have struggled for years against the limits of the law and the repudiations of Canadian governments to identify avenues that might yield progress. Until very recently for example, governments rejected all avenues based on an inherent right of Aboriginal peoples to self-government. This may have changed, but even so, it is clear that some routes are more open than others. Aboriginal people may argue for one route or another, but their choices are greatly constrained by the responses of governments.

■ One possible route is for Aboriginal peoples to test their inherent right of self-government

independent of Canadian law or social institutions, as some First Nations are proposing to do by opening gambling casinos on reserve lands or passing their own education acts. There would likely be serious costs to such an approach: new rifts in their relationship with the Canadian state, new confrontations with the police and armed forces, and perhaps the loss of sympathy from the non-Aboriginal public.

- A second route is by amending the Canadian constitution through the general amending formula, as was proposed on a nation-wide basis in the Charlottetown Accord, or through other amending processes, some open to individual provinces.
- A third route is through treaty and land claims processes, which afford constitutional protection for the rights so negotiated.
- A fourth is through individual acts of federal and provincial legislatures, such as the one that will bring public government to the future northern territory of Nunavut and those that have brought self-government to the Cree, Naskapi and Inuit of James Bay and northern Quebec, to the Métis Settlements in Alberta and to the Sechelt band in British Columbia.
- A fifth is via direct government-to-government agreement. The Kahnawake hospital agreement between the government of Quebec and the Mohawks of Kahnawake is one example. The proposed Métis Nation Accord, negotiated as part of the Charlottetown Accord, is another.
- A sixth is through the devolution of existing funds and programs from the Department of Indian Affairs and Northern Development to band governments and other recognized institutions of Aboriginal administration.

It is not possible, within the confines of this discussion paper, to examine thoroughly the debate around all six of these potential routes to self-government. The majority of presentations

to the Commission have focused on the second and third routes, advocating the use of constitutional amendment or an extended treaty process. Those are the routes we will begin to explore here, along with that of government-togovernment accord. Examples of other routes are offered in a subsequent section of this document.

Constitutional Amendment

Many Aboriginal leaders have seen the continuing struggle for constitutional reform in Canada as an opportunity to advance the case for recognition of an Aboriginal right of self-government through direct constitutional amendment. Although there are conflicting views among Aboriginal people on the merits of this strategy, the very public nature of the constitutional debate has helped put their issues on the national agenda and to push Canadian politicians some way toward understanding the basis for Aboriginal claims and aspirations.

To date, four steps have been taken at the national level along the path of constitutional amendment:

- The Constitution Act, 1982 recognized "existing aboriginal and treaty rights" (unspecified) belonging to Indian, Inuit and Métis peoples, and said that the Canadian Charter of Rights and Freedoms could not be used to diminish, contradict or negate any rights of Aboriginal peoples.
- First Ministers' Conferences were convened in 1983, 1984, 1985 and 1987 to deal specifically with Aboriginal rights, with only limited success.
- The Meech Lake Accord, which was meant to address the concerns raised for Quebec by the patriation process of 1982, did little to address the concerns of Aboriginal peoples, which was one reason for its ultimate rejection in 1990.

The Charlottetown Accord treated Aboriginal issues as a major agenda item. It recognized Aboriginal peoples as the first peoples to govern this land and their right of self-government as an inherent right. It provided links between Aboriginal peoples and Canadian governments through the House of Commons, the Senate, the Supreme Court and the constitutional amending process. As well, it extended the federal government's responsibility for services to include both 'Indians' living off-reserve and Métis and pledged to constitutionalize the Métis Nation Accord.

The defeat of the Charlottetown Accord in the referendum of October 26, 1992 put at least a temporary halt to progress along this route. Some of those who made presentations to the Royal Commission in our second round of hearings, speaking just days after the vote, expressed their frustration that it was yet another defeat for Aboriginal self-determination. Others were glad, having worked to defeat the Accord. All agreed that the 'no' vote did nothing to weaken or deny existing Aboriginal rights. It merely closed down, in the short term, a particular forum of constitutional negotiation among government leaders.

Despite the recent constitutional setbacks, Indian people cannot lose sight of the fact that our inherent right to self-government continues to exist. The right is tied to our time immemorial occupation of these lands, to our recognizable systems of government and to the various inter-tribal alliances, confederations and economic partnerships that we forged between ourselves, as First Nations, and sovereign powers.

Contemporary expression of this sovereignty can be found in two main sources: the post-confederation treaties signed by Western First Nations and the federal Crown, and section 35 of the *Constitution Act*, 1982....

Under section 35 then, First Nations are recognized as self-governing entities — a third level of government, not a third rate government. Of course the issue would have been much easier to dispose of if the constitutional amendment had passed on October 26th. However, First Nations will continue to take the position that the inherent right remains unchanged; only the method of its invocation has been altered. That is, we will assert the inherent right on a piecemeal, or ad hoc basis. Every area in which a band membership feels confident to legislate will become a potential jurisdiction for that First Nations government.

> Rodney Gopher Confederation of Tribal Nations North Battleford, Sask., 29 October

It seems possible on these grounds that Aboriginal rights now recognized in the constitution and in existing common law may be used, without constitutional amendment, as a springboard to self-government for Aboriginal peoples. If so, the challenge facing Aboriginal and non-Aboriginal people is the same one that the First Ministers' Conferences were unable to meet in the 1980s:

- specification of the scope of self-government;
- development of mechanisms, including financial arrangements, by which the current system of governance can be reformed into one that embodies acknowledged rights; and
- design of the means by which Aboriginal governments can interact with other Canadian governments.

Extension of the Treaty Process

Many Aboriginal people look on the pre- and post-Confederation treaties with the Crown and its successor, the government of Canada, as providing the best route for negotiating new relations of governance with the rest of Canada. Although they are not all alike, the treaties are

generally said to have one or more of four principal strengths:

- They respect the independence and right of self-determination of Aboriginal peoples.
- They were negotiated on a nation-to-nation basis, with terms relating to peace and friendship and trade relations, as well as provisions for sharing the land.
- They committed the Crown to make payments, guarantee hunting and trapping rights, and meet certain social needs, in perpetuity.
- Their terms are fully protected by the Canadian constitution, whether they are the result of past, present or future agreements.

Aboriginal people who have treaties regard them as living documents of direct relevance to their lives today. In Big Trout Lake, for example, Commissioners were addressed by elders who were present in 1929 when their chief signed Treaty 9. They are able to recount his reasons for doing so and the expectations of their people at the time. Their expectations have not changed. Treaty nations want to see the provisions of their agreements interpreted broadly in light of modern social conditions, and they want to see them fulfilled. In relation to self-government, they told us that the spirit and intent of the treaties acknowledges them as sovereign nations, with full rights to be selfgoverning and to control their own lands.

By the late 1800s, our people were convinced that a new social contract [with in-coming Europeans] was needed. They concluded that the social contract should be contained in a treaty relationship with the Crown. Treaty 8, which is the product of that consensus, is a unique document, for it reflects all of the elements which our Nations saw as necessary to underpinning the new social contract. [It] contained the following elements:

One, Indian peoples would be free to use their traditional lands and their resources as they always had. The would be free to govern the use of these lands and their [people and] resources [as they always had].

Two, our Nations agree[d] that the Crown would have the responsibility for managing the use of resources and land in a manner that would protect and allow for continuing Indian use of these resources.

Three, Indians would not be forced onto reserves and would be able, except for those lands shared for settlement purposes, to continue to have the right to live upon and utilize their traditional land.

Four, the Crown would provide under treaty, education, health, welfare and economic rights, and other rights.

The treaty is a solemn agreement between our Nations and the Crown. It establishes in perpetuity these four elements of a nation-to-nation relationship concerning governance and administration over...our traditional lands and territories.

> Chief Johnson Sewepegaham High Level Tribal Council High Level, Alta., 29 October

Some presenters argued that the intergovernmental relationships and obligations defined in the treaties, properly interpreted, have equal standing with the legal instruments that define federal-provincial relationships — and therefore that 'treaty federalism' in combination with 'provincial federalism' should form the basis of government in Canada. This approach constitutes a fundamental challenge to the generally accepted concept of Canada.

Few non-Aboriginal Canadians know much about existing treaties. Some view them as relics of a bygone era, with little relevance in today's world.

As to treaties, I do not think we can realistically assume that we can turn the clock back.... We are stuck in this place with 29 million people...that have been

here for some time and all setting up huge infrastructures. And we cannot do anything about that now.

I suggest that a treaty between Canada and any self-defined group of descendant people will not have any [useful] meaning...unless it does something about citizenship [for non-Aboriginal people within shared territory].... Self-governing enclaves [for Aboriginal peoples] within Canada, if Canada is to be their shelter, must provide for freedom of the individual.... [Otherwise] there will be closed societies with the real potential for denial of rights and freedoms to the individuals.

Jim Campbell Individual presentation Esquimalt, B.C., 21 May

The tension between Aboriginal and non-Aboriginal views on this point is real and significant. Commissioners hope to engage in further dialogue on the role and importance of treaties in future public hearings.

At this time, Aboriginal peoples who do not have treaties in place are, at least in theory, able to negotiate them. A few have done so in the recent past, including the Inuit, Cree and Naskapi of James Bay and northern Quebec, the Inuvialuit of the Beaufort Sea region, and the Council for Yukon Indians on behalf of the fourteen First Nations communities that make up its membership.

This approach, usually referred to in the language of the land claims settlement, has several major problems:

- It is slow (twenty years of negotiation in the case of the Council for Yukon Indians).
- It is unequal, with non-Aboriginal governments in control of funding, timetables, outcomes and implementation.
- It is undertaken with the objective on the federal government's side of the

'extinguishment' of Aboriginal rights, which most Aboriginal people see as unacceptable.

Nevertheless, with modifications, the land claims and treaty processes are widely seen as providing a workable approach for at least some Aboriginal peoples — possibly for many, and perhaps for all. A few presenters suggested that a national treaty, setting out inter-governmental relations encompassing all Aboriginal peoples, is an option for achieving self-government through one inclusive agreement that would have full constitutional protection, as all treaties do.

The premier [of Prince Edward Island] has suggested that the federal government and the provincial governments sign a National Treaty of Reconciliation with the Aboriginal people.... It is the Premier's view that a National Treaty would be a symbolic, legal and constitutional act of reconciliation and a statement of national purpose. It would provide a bridging mechanism to move from a constitutional amendment recognizing self-government to negotiated agreement. And in this sense such a treaty could be the basis of a new relationship with the Aboriginal peoples of Canada.

> Hon. Paul Connolly Minister Responsible for Aboriginal Affairs, P.E.I. Charlottetown, P.E.I., 5 May

Political Accord

Whether or not particular Aboriginal people have a treaty or choose to pursue the treaty renovation route, there is no constraint against their trying to negotiate self-government agreements or political accords directly with other orders of government. The Métis Nation has chosen to pursue the route of political accord, involving the federal and five western provincial governments, based on the gains it won during the Charlottetown process.

The Métis are perhaps the least well known of the Aboriginal peoples in Canada. They appear in our history books primarily as participants in the Riel Rebellion, seldom appear at all in modern media coverage of Aboriginal affairs, and have been excluded systematically from federal policy on 'Indians'. It is perhaps not surprising, then, that they have been referred to as the forgotten people of Canada.

From the time of first contact between Aboriginal people and Europeans, their descendants have lived and worked all across the country. Over time, significant numbers came together to form distinct and powerful Métis communities west of the Great Lakes. They were men and women with a sense of their unique history and talents and a collective consciousness that separated them from their ancestors on both sides. The 'New Nation' of Métis and their allies played an active role in the political development of the West. Under the leadership of Louis Riel, they founded Manitoba and negotiated its entry into Confederation under terms they feel were never subsequently respected. Elsewhere, they have continued to establish separate communities and struggled to keep their traditions alive.

In presentations to the Commission, Métis speakers indicated their concern that discussion of Aboriginal issues tends to exclude them and to ignore their perspectives.

The Métis are a distinct Nation of Aboriginal people. We see ourselves as separate from Indians and Inuit. We have a unique, colourful and valuable history and culture of our own. What happens is that we are lumped together with the other Aboriginal groups under the terms 'Aboriginal' or 'Native'. The effect of this lumping of Aboriginal peoples is that Métis issues, concerns and priorities are lost. The issues that affect us are left unattended.

We understand that there are Aboriginal issues that can be dealt with in a collective way.... But Métis issues are so distinctive

from other Aboriginal groups that any proper dealing with our issues would preclude the collective approach.

> Sheila Genaille Métis National Council of Women Slave Lake, Alta., 27 October

It is on the basis of their pivotal role in the development of Canada that the western Métis have continually put to governments and commissions their demands for

- recognition as a founding nation within Canada,
- a land base,
- self-government, and
- federal government acceptance of a responsibility to Métis equal to its responsibility to other Aboriginal peoples.

Throughout the history of the Northwest and Hudson Bay Company, the Métis played a vital role in the historical development of [Canada]. During this time when the economy was based on the barter system, it was the Métis who were the hunters, traders and businessmen who made the economy work. It was we who provided the only transportation for the goods of the north to the southern and world markets. It was we who shaped this land with the blood, sweat and tears of generations of our [ancestors]. It was we who played a vital role in the political development of this land, and thousands of Métis graves scattered throughout the [country] provide silent testimony to these facts.

And we, the Métis, are proud of our history.... We will not be Canada's forgotten people.

Joe Mercredi Tabled brief Fort Simpson, N.W.T., 26 May

Part of the agreement on Aboriginal issues reached by Canadian and Aboriginal leaders in the most recent round of constitutional negotiations was a series of items relating to Métis Nation concerns, known as the Métis Nation Accord. Presentations to the Commission by Métis speakers emphasized the need to protect its terms and principles.

We are suggesting that the five western provinces get together fairly quickly with the federal government to look at...renegotiating the Métis Nation Accord, making adjustments if necessary, and getting agreement...to go ahead and sign [it]....

All of the things in there can be accomplished in a non-constitutional way: negotiation of non-constitutional self-government agreements, negotiations on land and resources, enumeration of the Métis Nation.... We can implement all of the provisions of the Accord through tripartite arrangements. The mechanisms and processes are already in place.

Gerald Morin Métis Society of Saskatchewan Saskatoon, Sask., 28 October

Tripartite agreement involving federal and provincial governments could produce the means for self-government for the Métis Nation using a non-constitutional route.

Toward Models for Change

It is the concern of the Royal Commission, in fulfilling its mandate, that all approaches to the issues of governance of which we are aware be explored thoroughly and that models and options be proposed. However, since this discussion paper reflects only the Commission's public consultation process, and not its research or intervenor participation programs, it is too soon to do that now. Instead, we will discuss briefly the idea of models, reflecting just a few of those on self-government that have been presented to us.

There has been some tension in recent times between Aboriginal and non-Aboriginal people over a question that might be stated as, "Which comes first in relation to self-government, the principle or the details?". Non-Aboriginal people and government officials are likely to make statements to the effect that, "We can't accept the idea of self-government when we don't know what it means."

Aboriginal people are extremely reluctant to respond by providing blueprints for self-government in advance. Many have argued that acceptance of the principle must precede negotiation of the detail. Others have said that the detail can be worked out only in practice. Others have objected that the demand for detail is made simply for its value as an obstacle to negotiations with other governments. Still others have said that the work of talking to elders about traditional government has yet to be done, and so the best models have yet to be developed.

Whether or not they wish to share them now, the pressure on Aboriginal people to develop concrete alternatives to the present system of governance is strong. There is probably no Aboriginal community in the country that is not engaged in the long, hard work of developing plans for future self-government. Several presenters offered the warning to planners that there can be no single, perfect model for a process as dynamic as governance.

As Aboriginal societies blend their traditions with western European ways, the processes and institutions which arise will be varied. No single model will occur or prevail. It is futile and misguided to think that this will happen. The development of modern societies in the world has not resulted anywhere in a uniform set of institutions or structures for everyday life.

David Newhouse Native Studies Department, Trent University Toronto, Ont., 3 November With the best will in the world it seems to us impossible to conceptualize and elaborate a fully fledged system of Aboriginal self-government by simply sitting at a drawing board around a table. That may be part of the answer, but we must leave some room for trial and error as the process evolves.

Maxwell Yalden, Chief Commissioner Canadian Human Rights Commission Winnipeg, Man., 22 April

I am reminded again of the words spoken by Earl Old Person, former Tribal Chairman, I think from the Blackfoot Tribe, and I quote him: "We will make mistakes. But they are less painful than suffering the consequences of other people's mistakes."

> Henry Zoe Dogrib Treaty 11 Council Yellowknife, N.W.T., 9 December

Nevertheless, a great deal can be and is being done to further the development of Aboriginal self-government. In this discussion paper, we will quote from a small number of the presentations of ideas and models made to Commissioners. Of necessity, we leave out far more than we can include.

We wish to repeat that inclusion in this document does not constitute endorsement by the Commission. At this stage, we are still listening to argument and conducting research. Our hope is that the ideas and models we are bringing forward will both illustrate the range of options under discussion and stimulate dialogue in future sessions of our public consultation process.

Exercise of the Inherent Right of Self-Government through Traditional Values and Practices

The inherent right of Aboriginal selfgovernment is a right originating from sources within the Aboriginal nations, one not delegated or created by external sources. Some Aboriginal people who spoke to the Commission said that the inherent right of self-government means they can govern themselves in any way they see fit, without reference to Canada. Most agree, however, that the idea of separate Aboriginal nation states is neither practical nor beneficial for Aboriginal people. Still, many told us that they would like to replace the western-style systems of administration they have inherited from non-Aboriginal sources with structures and concepts of self-government derived from their own cultures and traditions.

The Commission was often reminded that Aboriginal peoples had fully functioning systems of self-government before the arrival of the Europeans. Times and circumstances have changed greatly since Aboriginal systems were in force, but more and more Aboriginal people are saying that it is important to them to go back and study traditional systems. Some said that only systems of government founded on the understandings embedded in their own cultures can be successful.

It is difficult [for Anishnabe] to define the word 'self-government'.... Somewhere in the translation from Ojibway to English it loses many contexts as to what the word really means.

Before the white nations had any dealings with the Indian people of this nation...we had a clan system.... The clan system is a social order. The clan system is a justice system. The clan system is a government. The clan system is an extended family unit.... [It is] bemahdezeyun, a way of life....

Those four things in the clan system were able to make this nation a self-sustaining nation. But in your years of development as a government, [you] took away all of those things. We were expected to live like you. But in the treaty, it is specific that we have the right to be Indians and live like Indians. This is one of the treaty rights that we have. We want to be

Indians. We want to be Anishnabe. And Anishnabe means that we have to have the clan system back here....

A clan system type of government in this nation is working.... It is creating harmony within the community. We talk about a government structure that is based on consensus. Yes, we have difficulty reaching consensus because we are still using the white man's concept of elections, majority rule. Those concepts and issues belong to a system that is made for the Government of Canada. It is not for our people here. [Now] we are devising a system whereby we can attain consensus on all issues....

If you talk about what is self-government, then you had better be prepared to include the word bemahdezeyun, our way of life. The whole structure is included in one. It is not separate. We are not separate from that circle. We are part of that circle. You are part of that circle.... We accept you as equals. And we expect the same kind of treatment.

Leonard Nelson Roseau River First Nation Roseau River, Man., 8 December

Treaty Implementation

Many who appeared before the Commission described plans for self-government that start from an existing treaty. There are two major principles at the heart of these plans, principles that the Commission would like to see discussed further by non-Aboriginal people and governments. First is the need for treaties to be reinterpreted so that their terms are made relevant to modern conditions as an essential part of defining Aboriginal self-government.

The Grand Chief of the Huron-Wendat Nation was among those who outlined a working model of this first principle.

In January 1992, the Huron-Wendat Nation ratified a framework agreement with Canada that was designed to develop a new system of government for the Nation, and to create a new relationship between it and Canada....

In our view, self-government for the Huron-Wendat Nation turns on negotiations on our treaties.... The Murray Treaty, dated September 5, 1760, which was recognized by the Supreme Court of Canada,...recognizes that the Hurons have rights and freedoms without in any way extinguishing the power to manage the future of their nation....

The Murray Treaty should be given a large and liberal interpretation that takes account of the historic context that enables us to identify what was the real intent of the parties. A process allowing clarification of its scope and meaning through negotiations between the parties should be started....

The Murray Treaty recognized our freedom of custom, and this includes, in our opinion, our nation's power to create, control and maintain its own independent government....

The Wendat Constitution that we shall put in place will contain various elements: a charter of individual and collective rights; [articles on] the Huron-Wendat government, citizenship, economic and social development, social services, housing, communications, education and training, culture, justice.

Grand Chief Jocelyne Gros-Louis Huron-Wendat Nation Wendake, Que., 17 November [translation]

The second principle is that of the nation-tonation relationship between Aboriginal peoples and the Crown implied by existing treaties. This principle leads to the idea that Aboriginal government should be one of the three orders of government in Canada, exercising a combination of federal and provincial powers. [Since the referendum] we have gone back to the starting gate, and it is time to listen to the message of some of the First Nations who do not want to patch up an old formula written on a piece of paper in 1867, a formula which never made room for us and has always denied our existence. The First Nations would be ready to discuss a true federation as one equal to another, a federation of sovereign partners, somewhat like in Europe with the Maastricht treaty.

Max ('One-Onti') Gros-Louis Individual presentation Wendake, Que., 17 November [translation]

Modern Treaty Combined With Federal Legislation

The Inuit of the Eastern Arctic recently concluded a modern treaty with the federal government. The Nunavut Agreement is a land claims settlement (modern treaty) tied to a plan to legislate a new territory in northern Canada. In keeping with current federal government policy with respect to land claims, it is based on the exchange of undefined Aboriginal rights and title to lands and resources in the Nunavut area for defined rights and benefits that will be protected by the Constitution of Canada. Those include

- Title to approximately 350,000 square kilometres of land, of which 35,257 square kilometres will include mineral rights. Access by non-Inuit to Inuitowned lands is governed by provisions of the Agreement.
- The right to harvest wildlife on lands and waters throughout the Nunavut Settlement Area.
- The right of first refusal on sport and commercial development of renewable resources in the Nunavut Settlement Area.

- Equal membership in new institutions of public government.
- Capital transfer payments of \$1.1468 billion.
- A share of the royalties government receives from oil, gas and mineral development on Crown land
- Where Inuit own surface title to the land, the right to negotiate with industry for economic and social benefits from non-renewable resource development.
- Measures to increase Inuit employment within government in the Nunavut Settlement Area and increased access to government contracts.
- \$13 million for a Training Trust Fund.

As well, the Agreement commits the federal government to introduce legislation for consideration by Parliament to create the Nunavut Territory and the Nunavut Territorial Government.

Department of Indian Affairs and Northern Development and Tungavik Federation of Nunavut Joint press release, 21 October 1992

One of the significant characteristics of the Nunavut plan for self-government is that it will be 'public government'. In other words, it will be open to the participation of all residents, though with some special protection for Inuit, who now form a majority in the territory, but cannot always be sure of continuing to do so.

Legislation

Other examples where federal or provincial legislation has been used to establish self-government include British Columbia, where the Sechelt band is now operating self-government at the local level, and northern Quebec, where the Cree, Naskapi and Inuit are doing so mainly at the regional level. In Alberta, provincial legislation dating back to 1934 but

recently amended has enabled the Métis Settlements in the northwestern part of the province to operate their own form of self-government as well.

In July of 1989 the Métis Settlements Accord was signed by the Federation of Métis Settlements, along with the Alberta government. The Accord established principles [for] a partnership for Métis self-determination, and it was an historic agreement. I believe we are the only Métis in this country, possibly the world, that have a land base within which to govern ourselves in the legislative framework for governance.

The legislation...was basically in four pieces. The first act was the Accord Implementation Act which allowed a transition phase over 17 years to allow us a smooth transition from the old to the new system that we adopted and accepted....

The Land Protection Act gave us the land in fee simple. The Métis Settlements Act gave us a structure for governing ourselves. The General Council that is over all the political body for all eight settlements and the local governments, five elected member Councils, so that's basically what we've got.

We have a financial package over 17 years which consists of \$310 million from the province....

Our people at home tell us exactly what they want and where they want to go with it....

I spoke earlier of the practical nature of the Métis. We didn't want to wait for years [for negotiations with the federal government] to improve the lot of our people, so [we made this arrangement with Alberta, but] we ensured that the issue of Aboriginal rights...was not tied to our package in any way, shape or form, as it states in our Alberta Constitutional Amendment Act. This has left the door basically wide open for us to be participants in the future, and whatever...will come of Aboriginal rights.

Ken Noskey Métis Settlements General Council Edmonton, Alta., 11 June

Government-to-Government Agreement

Since the defeat of the Charlottetown Accord, the Métis National Council has pressed the federal and provincial governments to consolidate their commitment to the terms of the Métis Nation Accord. They require no constitutional amendment to do so. Reaffirmation of the Accord by the governments concerned would provide a solid starting point for self-government for the Métis of the West.

The Métis Nation Accord sets out the roles and responsibilities of both levels of government to the Métis Nation and incorporates legally binding commitments, many of which bear upon the mandate of the Royal Commission. I will just highlight a few of those for you.

The Métis Nation Accord sets out a definition of "Métis" and calls for an enumeration and registration of the Métis people.... For the purposes of the Métis Nation and the Accord, a Métis person is a person who self-identifies as a Métis and is a descendant of those Métis who received or were entitled to receive land grants and/or scrip under the provisions of the *Manitoba Act* and the *Dominion Lands Act*. The definition also includes a person of Aboriginal descent who is accepted by the Métis Nation and allows for those persons to be included who have been absorbed by the Métis Nation....

The Métis Nation has received commitments from both levels of government to provide their fair share of Crown lands for transfer to Métis selfgoverning institutions as well as providing access to lands and resources to Métis people....

With regard to cost-sharing arrangements and devolution, the federal and provincial governments have agreed to resourcing provisions which will allow the Métis to maintain access to existing programs and services.

The Accord commits governments to provide transfer payments to enable Métis to establish similar types of programs and services as those enjoyed by other Aboriginal peoples.

In addition, the federal and provincial governments have agreed to devolve to Métis a portion of the Aboriginal programs and services currently available to Métis. In these cost-sharing provisions we have gone much further than Indians and Inuit in the constitutional process....

The Accord commits both levels of government to negotiate self-government agreements with the Métis Nation. This will include self-government in urban and rural settings as well as on Métis lands.

Marc LeClair Métis National Council Toronto, Ont., 26 June

Special Perspectives

The perspective on self-government taken by Aboriginal people, whether as individuals or as nations, depends in part on their situation:

- as First Nations, Métis or Inuit,
- as status or non-status 'Indians',
- as treaty or non-treaty people,
- as residents of reserves, villages or urban communities,
- as men or women.

The concerns of off-reserve and urban Aboriginal people, and those of Aboriginal

women, were voiced strongly in the first two rounds of Commission hearings. Their perspectives, and those of non-Aboriginal people, are of great importance to our deliberations.

The Concerns of Urban Aboriginal People

The number of Aboriginal people living in Canadian cities and towns — by choice, necessity or birth — has become so great that increased attention is now being paid to their circumstances. To contribute to the discussion, the Royal Commission will soon publish a report on the National Round Table on Aboriginal Urban Issues, which we convened in Edmonton in June 1992. It is clear that self-government for the diverse Aboriginal peoples in the cities, towns and villages of Canada will require solutions to some unique and perplexing problems. Based on what we have heard so far, the possible forms that urban self-government might take are subject to intense debate.

Aboriginal people living in cities may be Métis, Inuit or First Nations people. By virtue of their shared urban location they have needs and perspectives in common, but they also have differences of view and perhaps of rights. The tension between commonality and difference was reflected in two views we have heard from urban presenters on urban self-government and the delivery of services that goes with it.

Some presenters want to see urban institutions that serve and are accountable to all Aboriginal people in the city, regardless of their identity as Métis, Inuit or First Nations people. They have argued that existing service delivery organizations and friendship centres in cities are the natural base for an inclusive urban government.

In addition to the social and cultural functions of the Friendship centres, they were quickly forced to move into programs and service delivery.... The Native Canadian Centre of Toronto

moved into areas like housing, legal services, seniors and youth work, media, anti-racism work, employment and skills training, information and referral, and a host of others.

[In discussions of self-government] it was first assumed that urban interests would be represented by [existing regional and national organizations]. What became apparent, however, was that Native people in urban areas often have little access to [the political process] at home.... In Toronto, the response was to develop an urban self-government proposal.

Bernd Christmas Native Canadian Centre of Toronto Self-Government Committee Toronto, Ont., 26 June

Those who favour the extension of status-blind institutions into the area of self-government point to their existing numbers, their accumulated experience, their ability to communicate with all the Aboriginal people in a community, and thus their potential for accountability.

But other presenters made the case that Métis, Inuit and First Nations people have unique and particular needs, interests, rights and privileges that can be understood and responded to appropriately only by others with the same background and affiliation. For that reason, they argue that there must be separate institutions in urban settings to serve the separate constituencies of Aboriginal people, both for service delivery and for self-government.

When we look at the different Aboriginal groups in the cities, we have to understand that the treaty and First Nations people have grown up under different circumstances than the Métis, and that we should recognize the differences. That means that we should not come under one single organization just because we are in the [same] city.... I think we have to respect our cultural differences too. I

would rather see a treaty and First Nations organization handle those matters for our people because of the cultural differences that we would have.

> Margaret King Saskatoon Treaty and First Nations Assembly Saskatoon, Sask., 28 October

The Métis in particular have a long history of developing organizations to serve their people. In Alberta, the Commission was told about the Métis Housing Corporation, the Métis Development Corporation, the Louis Riel Historical Society, the Framework Action Centre and six other organizations for the provision of services to Alberta Métis. The Commission's first discussion paper, *Framing the Issues*, was taken to task for failing to make clear the Métis commitment to separate institutions.

In the self-government section, the [discussion paper] leans towards 'status-blind' urban governments, lumping Métis together with Indians. The Métis have fought against this approach to off-land base self-government for over 20 years....

Question 19 [of the discussion paper] asks whether Métis, Inuit and Indians should be lumped together for urban governments. As you are already aware, we are opposed to this approach.

Larry Desmeules, President Métis Nation of Alberta Slave Lake, Alta., 27 October

The gulf between proponents of inclusive institutions and proponents of separate institutions is widened where treaties or land claims are unresolved.

The Concerns of Aboriginal Women

One of the features of the Charlottetown round of constitutional talks was that the separate voice of Aboriginal women emerged with new clarity at the national level. The idea of a separate voice for women in any political context is always fraught with controversy, because not all women see themselves as having interests distinct from those of men and, even when they do, many people of both sexes deny the usefulness of such distinctions. Still, in the last twenty years it has become more widely accepted in society at large that, in many contexts and on many issues, women do have a set of unique circumstances to address, and a unique vantage point from which to see their own — and the general — interest. This argument was made to us by many Aboriginal women.

It should be made clear that not all Aboriginal women's organizations, and not all Aboriginal women, agree on these matters. A significant number of Métis spokeswomen told us that they do not share the concerns raised by other Aboriginal women's organizations. Nevertheless, it is significant to public debate that a number of women's organizations have raised hard questions about the way plans for self-government are being developed in non-Métis Aboriginal organizations.

In particular, some women have questioned the impact on decision making of the fact that most existing Aboriginal governments are controlled by men, arguing that these governments are not sufficiently accountable to their communities. In some presentations, the problem of accountability was linked to a critique of existing Aboriginal governing bodies as creatures of the federal government. As such, it is argued, they are far removed from the political traditions of Aboriginal peoples and the grass roots of their communities. In other presentations, the accountability problem was linked to the fact that elected leaders are mostly men and are often insensitive to issues of significance to women.

At the national level, concern focused on the exclusion of Aboriginal women, and especially representatives of Aboriginal women's organizations, from constitutional bargaining tables.

During the last year and a half, when our different leaders were meeting on the political level in regard to the constitutional process, women's voices were not being heard. There were attempts at some points to bring in women chiefs or to bring in women who had the same opinions as the leaders already at the table, but there were no attempts to bring in those women who had beliefs that were opposite of those leaders, thereby not providing an opportunity for any real discussions....

Opportunities have to made available or structures have to be developed and formatted that will allow both genders to participate in the political process.

> Bernadette Cook Ontario Native Women's Association Thunder Bay, Ont., 27 October

At the local level, concern focused on two other issues: first, the apparent unwillingness of some band governments to support the reinstatement of so-called 'Bill C-31 women' (women who have recently regained official status as 'Indians' under the *Indian Act* and therefore became eligible for housing on reserves and education grants); and second, the perceived unwillingness of some band governments to take adequate measures in relation to violence against women and children.

Both issues again raise the issue of accountability. Speakers told us that as Bill C-31 women and as women in general, their concerns have been improperly handled or ignored, and they themselves have been silenced by local leadership.

I thought by applying and receiving my [Indian Act status under Bill C-31] I would have the same benefits as other status Indians. [But] I don't have equal rights and, in fact, I have less identity than before.... I can't have a home on my reserve.... The reserves at present could possibly house us, the Bill C-31 minority Aboriginal people, but refuses to.... I will

probably have a resting place when the time comes, but why should I accept to be buried on reserve land after I die, when I could also enjoy sharing all the services that are being kept away from me today....

[The problem is] coming from the...Chief and Council. I know they are really against Bill C-31s. They have, I guess, no use for [us].

Florence Boucher Individual presentation Lac La Biche, Alta., 9 June

The [Aboriginal Women's Unity] Coalition maintains that violence is the most critical issue facing our entire nation, and deserves equal priority with any of the other issues on the chiefs' political agenda....

The [negative] response of [the provincial Aboriginal leadership] has brought to the foreground...the lack of democratic mechanisms that would allow for the full and equal participation of women and off-reserve people in decisions that concern and affect them....

Not only are we victims of violence at the hands of Aboriginal men, our voices as women for the most part are not valued in the male-dominated political structures. Our concern has been reflected in the report of the Aboriginal Justice Inquiry, where Commissioners wrote that.... "We believe that the failure of Aboriginal government leaders to deal at all with the problem of domestic abuse is unconscionable."

Marilyn Fontaine Aboriginal Women's Unity Coalition Winnipeg, Man., 23 April

Aboriginal women have argued that any arrangements for self-government that perpetuate the existing patriarchal political structures originated by the federal government

are undemocratic. They warned us that the consequences of perpetuating the present system may be continued violence against women and children. As well, some pointed out that current arrangements are not true to the spirit of traditional Aboriginal political culture which, they argue, operated by a consensus that included women.

I would like to [recommend] that the Indian governments, in setting up their structures, have to include the involvement of Indian women, and I think they have to create an Indian women's caucus or council within the structure of the organizations, and these women will be the watchdog organization of the leadership because our leaders are not accountable to our people....

I think we have to go back and look at our governing systems that were here before. Part of the principles under our traditional system was that the leader does not have a voice in his own right. He has to respect the wishes of the people....

I think we have lost so much of our traditional systems that we do not take into account other people's points of view and especially [those of] women.

> Margaret King Saskatoon Treaty and First Nations Assembly Saskatoon, Sask., 28 October

Most of the women who came forward to make these points indicated that they did not enjoy doing so, both because public speaking is traditionally done by men in Aboriginal cultures, and because there is risk involved in being critical of those who hold power. It is a measure of their determination to get a full airing for the issues of accountability and the fair treatment of women and children that they took this risk. We thank them for their courage and contributions.

The Concerns of Non-Aboriginal People

Many non-Aboriginal people appeared before the Commission to state their support for Aboriginal self-government and to offer ideas about principles and mechanisms by which it might work. It is often more difficult for non-Aboriginal people who are uncomfortable with the idea of self-government, or aspects of it, to make their views known to the Commission than for others.

When I looked at the [list of other] speakers I shook my head and said, "Ohoh, I guess I'm going to be the token white man." I talked to some of my friends [about appearing before the Commission] and they said, "Watch out. You are either brave, or very, very stupid."

Don Imbeau Individual presentation Kenora, Ont., 28 October

Yet it is essential to the ultimate success of the Commission's work that those with doubts and criticisms come forward and tell us about their objections to the aspirations of Aboriginal peoples. It is only then that the discussions necessary to reach a workable consensus and a genuine reconciliation can take place.

The extensive political debate aroused by the Charlottetown Accord was the occasion for a great many non-Aboriginal people to reflect on the issues of Aboriginal self-government. Several presenters recounted to us the common objections they heard raised by non-Aboriginal people.

[In campaigning for a 'yes' vote on the Charlottetown Accord] I was struck by not only the lack of a generous response to Aboriginal peoples but indeed the continual raising of questions about why we should honour the treaties. And you will be familiar with these arguments. "It was a long a time ago", "Isn't it time we

were let off the hook", "Why should we keep paying", "Why should I have to pay for my children to go to university when an Indian child can go to university with funding support". Those sorts of arguments came up time and time again in response to...the aspect dealing with inherent right to Aboriginal self-government....

On the whole the people who raise these questions are perfectly reasonable, caring people. It is just an issue which causes them some difficulty. One argument, apart from the historical description of what takes place and what has taken place, is to ask them when it is appropriate to break a promise. How long do we keep our promises for? I think most of us would prefer to think that we keep our promises forever and that we don't break them. That argument carries little weight with people I have spoken to, as does the argument that well, we didn't have to beat anybody in a battle in order to have this land; that it was a peaceful response, unlike in the United States. Again, yes, but it was all a long time ago.

> Chris Axworthy Member of Parliament Saskatoon, Sask., 27 October

The perception that Aboriginal peoples are unreasonably privileged by present and future government arrangements is perhaps at the centre of the concerns raised most often by non-Aboriginal speakers. The issue of taxation is a particular irritant.

With self-government must come self-taxation. In my discussions with non-Aboriginal people this is the single most common thread which angers almost everyone. People living on reserves must begin paying property tax. At least, those employed on reserves must pay income tax to their reserves. Status Indians living and working off reserves must lose their tax exemption and start paying income

and sales tax to their reserves. This action will eliminate one of the greatest causes or roots of racism.

I cannot emphasize just how important this item is. It is very much misunderstood by a lot of non-Aboriginal people, but it is so evident and so strongly felt that every time I try to talk about it the reactions are very severe. There is no reasoning. I can't reason with them and tell them that Aboriginal peoples do pay taxes, et cetera, et cetera. There is just something about it that angers people.

Don Imbeau Individual presentation Kenora, Ont., 28 October

The difference in interpretation of this issue between Aboriginal and non-Aboriginal people was illustrated by the immediate response to the presentation just quoted from the Royal Commission's Commissioner of the Day in Kenora.

I would like to thank you for your presentation. But...regretfully I can't support the majority of your presentation. It sounds like it's the stereotype of misconception that we hear...every day....

As far as the taxation is concerned, Native people don't consider that as a handout.... We consider the tax exemption situation as payment for rent [by non-Aboriginal people] of this land we call Canada. Usually what happens, if the tenants don't pay rent, you evict them.

Joseph Red Thunder Boy Commissioner of the Day Kenora, Ont., 28 October

One of the concerns heard frequently from non-Aboriginal people was that self-government has not been adequately defined. In making that point, they are expressing fear that a new relationship with First Peoples will require a redistribution of resources or opportunities or power — and that they might have to give up some of what they have enjoyed.

Some non-Aboriginal people are already subject to administration by Aboriginal governments, for example, if they live on land leased from a band or First Nation council. The difficulties that have sometimes arisen in these cases are indications of issues that may have to be resolved on a larger scale when Aboriginal governments gain jurisdiction over other lands now occupied by non-Aboriginal people.

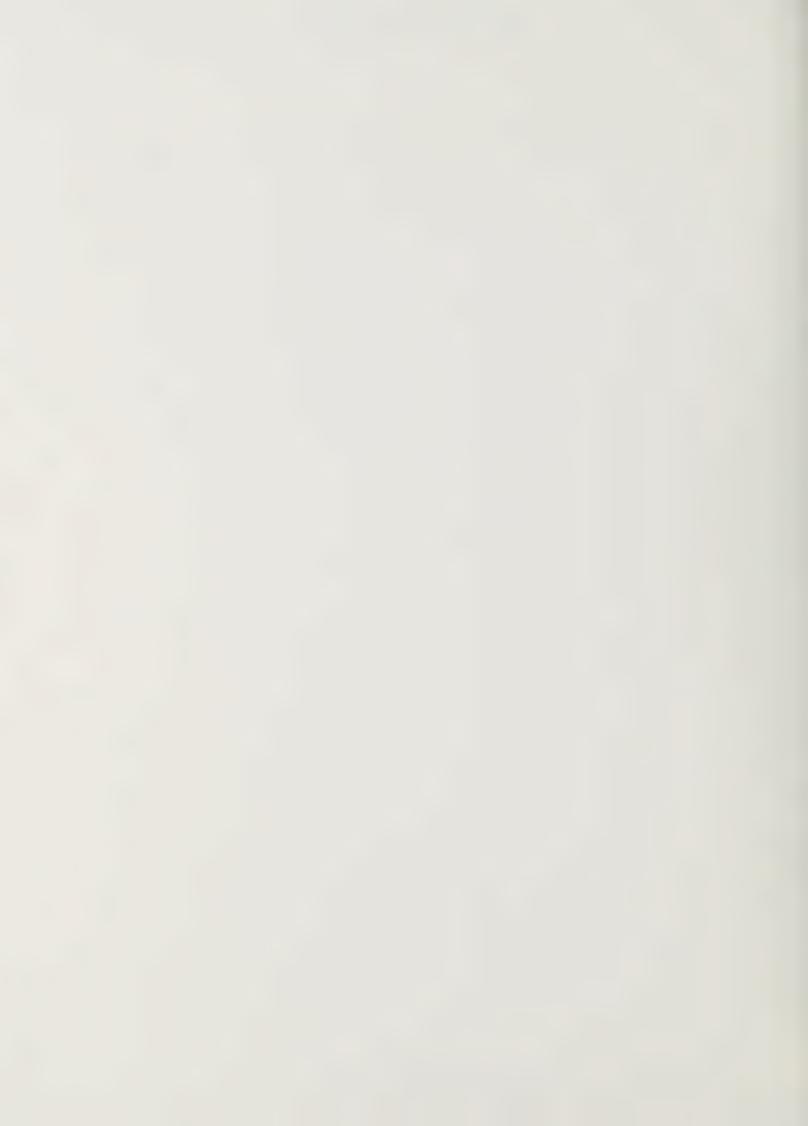
At the present time,...the political will seems bent strongly in favour of granting Aboriginal people self-government, though in our view that term is ill-defined and the ramifications of it have not been thought out. All across this country, non-Aboriginal people lease [and live on] designated [Aboriginal] land, and this fact seems generally to have been ignored....

Surely in a democratic society we cannot be subject to Indian self-government and left without a vote. In our opinion, legislation granting self-government to Aboriginal people must also provide protection for non-Aboriginal people on leased land....

Our main point and the point I wish to stress today is that we are being taxed without representation.

Shelley Nitikman Musqueam/Salish Park Residents' Association Merritt, B.C., 5 November

For most Aboriginal people the issue of self-government is far from resolution. But there was evidence, throughout the Commission's first and second rounds of hearings, of workable models and of hope that the support for Aboriginal self-government visible during the Charlottetown Accord discussions may have been the herald of real change. We hope to hear further discussion of these and other models, as well as criticisms and concerns, in the third and fourth rounds of public hearings.





Self-Sufficiency



Self-sufficiency is not simply a matter of money or possessions. It also encompasses the sense of accomplishment and self-worth that goes with the ability to be self-sustaining according to the values of one's own culture.

The Goal: The Ability to be Self-Sustaining

The language of economic opportunity and economic development figured prominently in presentations made to the Royal Commission. It is modern jargon for a very old human drive: the drive for self-sufficiency. Of course, self-sufficiency does not mean the independence of local systems from larger trading networks; it implies, rather, being in a position to give and receive fair value in economic exchanges, such as those that characterized Aboriginal economic life in the past, dating back to pre-contact days.

Self-sufficiency begins with the ability of a society to meet the needs of its members for food, clothing, shelter, warmth, safety and comfort. It is possible only when they have control over the personal and collective resources necessary to meet those needs. But self-sufficiency implies more than subsistence or sheer survival — it implies the chance to thrive, to flourish, to prosper. It is not simply a matter of money or possessions. It also encompasses the sense of accomplishment and self-worth that goes with the ability to be self-sustaining according to the values of one's own culture. For many Aboriginal people and communities in Canada today, sheer survival is a challenge, prosperity an improbable dream.

In discussing the complex circle that links the four touchstones for change in Aboriginal

people's lives — a new relationship with Canada, self-determination, self-sufficiency and healing — many presenters started with self-sufficiency. Some drew attention to its critical position in relation to the other components of the circle.

Our struggle for dignity,... our struggle for just the plain hope that tomorrow will be better for our children, [has led to] the commitment of the Ktunaxa Nation to advance the right of First Nation people to govern and manage our socioeconomic future. Economic security is critical since it provides the [means] for the long journey back to recovery.

Chief Joe Nicholas Columbia Lake Indian Band Cranbrook, B.C., 3 November

Inuit were [once] a self-sustaining society. However, with not enough thought in mind, the centralization of the Inuit created a great dependency on governments, be it for welfare, health care, housing, et cetera....

My father-in-law, when he first heard that welfare was to be introduced in the North, he shuddered at this solution, [saying that it] will not create a long-term economic solution that is acceptable, but it will create a great dependency where no one will get out. He has been right ever since.... Grassroots economic solutions are needed, and only those at the grassroots levels can adequately address what is needed.

Charlie Evalik Hamlet of Cambridge Bay Cambridge Bay, N.W.T. 17 November

Economic development without a doubt in my mind is the most important issue facing Native Canada. Our people need substantial and significant and meaningful employment [to turn our lives around].... Natives don't just need money. Natives need jobs.... There truly are a quarter of a

million people out there, Native people without jobs. Put us to work.

Everett Lambert Individual presentation Edmonton, Alta., 11 June

Both Aboriginal and non-Aboriginal presenters imagine a complex flowering of possibilities as a result of successful economic development. They speak of breaking the cycle of poverty; of ending dependency on welfare, unemployment insurance and other transfers from governments; of meaningful employment; of preserving the many traditional modes of self-sufficiency; and of financing social development and self-government.

For non-Aboriginal people, who may be overwhelmed by the images of poverty in Aboriginal communities, such aspirations may seem unrealistic. But Aboriginal people see themselves as the descendants of some of the most self-reliant cultures on earth — cultures that the European explorers and their successors once depended on to survive the rigours of the Canadian landscape.

They also see themselves as the displaced owners of vast resources — resources more than adequate for building a self-sufficient economy.

As you fly over our lands and territories, try to appreciate, try to comprehend the vast wealth and riches that are being produced from them. Our Treaty 8 lands contain the largest known deposits of heavy oil in the world and I am talking about the Fort McMurray tar sands. They contain amounts of oil which surpass the known quantities of oil in all of Saudi Arabia....

Our Treaty 8 territory possesses enormous wealth in its forests....

Our Treaty 8 lands and territories possess deposits of gold, zinc, iron ore and other minerals....

Our Treaty 8 lands and territories possess huge bodies of waters, some of...the

largest [sources of] hydro electric energy in Canada....

The lands and territories of Treaty 8 possess some of the richest and the best agricultural lands to be found anywhere in Canada....

As you examine these [resources], identify the number of jobs that they generate; identify the number of business opportunities which they generate; calculate the wealth they have produced and continue to produce on a daily basis. Then tell us why these lands and territories could not sustain the costs of governing our First Nations.

Bernard Meneen High Level Tribal Council High Level, Alta., 29 October

Many of the obstacles to self-sufficiency facing Aboriginal people are familiar to Canadians in their own lives — depressed local economies and limited potential for outside investment, depleted resources or resources for which there is no market, inadequate infrastructure, a labour force whose skills and values do not match the available employment opportunities. These problems are certainly not unique to Aboriginal people. But Aboriginal people told us that they experience them in disproportionate numbers, as a direct result of being Aboriginal. Because they are Aboriginal, their economic popportunities have been curtailed by a web of historical losses, negative stereotypes held by non-Aboriginal people and restrictive government regulations. Taken together, these factors have limited their access to land, resources, education, jobs, capital, and hope.

Racism is the number one barrier to obtaining and maintaining employment.... Aboriginal students have low expectations placed upon them by educators in the school system. Aboriginal youth are not encouraged to enter college or university entrance programs. Aboriginal youth are mainstreamed into occupational or vocational programs....

When Aboriginal youth seek employment, we not only have to overcome all the employment barriers that youth in general face, we also have to deal with racism in the workplace, both systemic and individual. Very few employers will even give us the chance we need to prove that we are capable of performing the job....

This type of racism makes us very angry and resentful, not only towards those individual employers who practise racism to keep Aboriginal people out of the workplace, but toward their society in general. When are we going to be treated equally and fairly by those with whom our ancestors so generously shared our land and our resources?

Gail Daniels Anishnaabe Oway-Ishi Toronto, Ont., 3 November

The Northern Affairs Act that governs the Métis communities [in Manitoba] is not only a...straitjacket for our people. It depresses and suppresses the aspirations and the dreams of all Aboriginal peoples in our community.... [It] does not protect the community's resources, nor does it allow the community control over its resources.... It does not allow the community to venture into business developments and, therefore, suppresses or restricts sustainable economic development.... Regardless of the community council's efforts and decisions, final approval is required by the Minister. If the decision of the council requires substantial financial support, more than likely we will be refused, regardless of how beneficial it would be to the community.

> Henry Phillips Manigotagan Community Council Fort Alexander, Man., 30 October

It is my understanding that the relationship between ourselves and the major banks of this country is centred around...old legislation that [used to be] taught at the first year commercial law

program at the universities of this country. It is that there is a group of people that the banks cannot deal with: imbeciles, minors and Indian people residing on reserves.

Chief Gordon Antoine Coldwater Indian Band Merritt, B.C., 5 November

The routes to economic change proposed by Aboriginal people depend on their situation: in urban, rural or isolated village locations, living on reserves or off, in possession of a land and resource base or not. There are some individuals and communities in favourable circumstances, but the more common situation is one of impoverishment.

At present there is not something that you could specifically identify as an economy in many First Nations communities. It simply doesn't exist.

Lorraine Moses
Nicola Valley Indian Development
Corporation
Merritt, B.C., 5 November

Given the different starting points, the approaches to solutions that the Commission heard are of necessity varied.

Elements in the Solutions

The Commission heard a number of dynamic ideas about how to solve the complex puzzle of economic self-sufficiency for Aboriginal people. Most revolve around one of three themes: access to and control of land and resources, measures to strengthen the traditional economy, and access to the modern economy.

Access to and Control of Land and Resources

For much of human history, the key to selfsufficiency has been land, the genesis of all resources, and the basis of all ways of living, from traditional to industrial. Control of land is still at the centre of many of the efforts being made by Aboriginal people to unlock the doors of economic development in their communities.

Few Aboriginal people feel that they have been able to retain rights to a satisfactory land base, either in historical negotiations with the British and Canadian governments, or at any time in the intervening years. Some have no independent land base at all. One such case is that of the Métis Nation, whose representatives appeared before the Commission several times to remind Canada that the legislation bringing Manitoba into Confederation recognized rights to land and public self-government for the Métis then living in the Red River Valley — a recognition in law that has never been honoured in practice.

The Métis believe that the right to a land and resource base naturally flows from the rights of the Métis Nation as set out in...the *Manitoba Act*...and the Constitution [of Canada].... We hold the view that the quantum of land [to be given to us] must recognize and promote the social, cultural and economic development of the Métis Nation....

Louis Riel referred to the *Manitoba Act* as a treaty between governments, and called upon Canada to respect [it]. Louis Riel has only recently received respect and recognition for his role in the creation of Canada, but his people have yet to receive respect and recognition for their rights [to land and self-government] for which he fought and died.

Yvon Dumont, President Manitoba Métis Federation Winnipeg, Man., 22 April

Aboriginal people living on reserves do have something of a land and resource base, though it may be inadequate for a growing population or subject to a claim for expansion. Several presentations challenged us to imagine the shock to their ancestors that the imposition of the reserve system represented. They told us

that there was a chasm of difference between the Aboriginal concept of sharing their land with incoming Europeans, and the non-Aboriginal desire to take possession of the best lands they could stake for homesteads and towns, relegating Aboriginal people to what was left.

This country...has benefited enormously from the wealth of the land we so generously gave up.... First Nation communities have seen our once limitless land base diminish into the 'dude ranch' dimensions [of our reserves].... [Yet] we seek no revenge. We ask for no hand-out. We ask for no sympathy. We only ask for the right to [develop and] grow with dignity within the lands that have been the traditional home of our people for the past 10,000 years.

Chief Joe Nicholas Columbia Lake Indian Band Cranbrook, B.C., 3 November

Land use and control issues continue to bring Aboriginal and non-Aboriginal people into conflict, especially over lands traditionally occupied by First Peoples but now owned or used by non-Aboriginal people. Increased use or control by Aboriginal people is often opposed by non-Aboriginal people. They fear either that their own ability to benefit, or the general benefit to Canada, will be curtailed. In a number of cases, they fear that Aboriginal use will lead to wildlife depletion.

It would appear that in an effort to right old wrongs [done to Aboriginal peoples], the federal and provincial governments are threatening the very existence of two industries [forestry and mining] that are major producers of export dollars for the nation. The livelihood and culture of hundreds of thousands of non-Aboriginals are at risk....

Forestry and mining depend on secure long-term access to Canada's land base. Land access restrictions and security of tenure concerns [because of Aboriginal rights and claims] are a significant obstacle to finding mineral investors in today's world economy.... Trees that aren't cut, rot. Minerals left in the ground can't reduce the nation's balance of payments deficit....

We strongly urge this Commission to endorse the concept of multi-use of our natural resources, not just by tourist outfitters, trappers, fishermen and mining and forestry companies, but by Aboriginal and non-Aboriginal....

I would like to tell the Commission that I was born in the north, have lived here all my life, and I will die here.... No elected or appointed body has the moral right to give away my heritage. No politician or bureaucrat with the wave of a pen will make me disappear. I am prepared to share with [Aboriginal people], but I will not be pushed off my land or out of the north.

Don McKinnon Individual presentation Timmins, Ont., 5 November

In today's environment we feel it is unrealistic that Natives have unlimited hunting and fishing rights in the areas that they have the right of access to. Both the federal and provincial governments have recognized the importance of maintaining wildlife in a healthy and valuable state. There are many laws and regulations that provide a degree of control over the activities of mankind that affect wildlife; control of pollution, hunting and fishing regulations and the general public impact studies on dams, roadways and other industrial activities. We feel the only uncontrolled factor right now is the unlimited hunting and fishing rights of Natives....

If the Constitution maintains or further allows [this] proven inequality of rights of Canadians, if the issue continues to fester, we feel [it will] promote racism [and]

inhibit positive attitudes for each other from developing [among] all peoples of Canada.

> Andy Von Busse Alberta Fish and Game Association Edmonton, Alta., 11 June

For their part, Aboriginal people from coast to coast pointed out that they have had management systems for the protection of wildlife since time immemorial. Indeed, they presented extensive evidence of the damage done by non-Aboriginal management to land, resources and wildlife in their regions and thus to their ability to make a living. The Commission heard many, many charges by Aboriginal people that the land and resources are suffering from improper exploitation, that their customary uses (hunting, fishing, trapping and so on) are interfered with, and that non-Aboriginal people are making profits from resources Aboriginal people believe to be theirs.

From generation to generation, Atikamekw families have lived on these lands, practising activities of hunting, gathering, fishing and trapping.... However, with colonization and industrialization, the traditional way of life was significantly disturbed.... Since that time, the lifestyles of Atikamekw hunters and trappers have been profoundly disturbed by forest industry operations.... The [negative] impact...is unquestionable.

Michel Ares Mamo Atoskewin Atikamekw Association Manouane, Que., 3 December [translation]

As you drive to Fort McKay, you will pass Suncor and Syncrude, the tar sands megaproject in this area. Fort McKay is the epicentre of the Tar Sands Development. Fort McKay has gone through a lot in the past 30 years since development started in the '60s.... We were not told about the development that

was going to take place. We...were not informed of what was happening. We have to deal now with what I call the fall-out after a bomb....

We used to live off the land. The river that we once used...we cannot use any more because of the pollution. We used to swim in that water and we used to drink that water. Now if we do that, it will make us sick.... Development has brought nothing but disaster to our people. We have lost the use of our land, of our culture, of our way of life, but we must go on and survive and continue with our lives....

We have to have a say. We are left out of the development. We have to be a part of the decision making. We need and we must control our own lands. We need and must control our own wildlife.... How can we be a part of development in this area? I don't know, but we must find a way because we are left out in the cold.

Chief Dorothy McDonald Fort McKay Indian Band Fort McMurray, Alta., 16 June

Some presenters made the additional point that they do not control even the moneys that now flow into their communities. Much of the money transferred to Aboriginal communities is designated by federal and provincial governments for social and education services, unemployment and welfare payments, and other programs, leaving local governments no freedom to use those moneys as part of their own economic strategies.

The language of almost every presenter who spoke to the Commission about economic development, Aboriginal and non-Aboriginal alike, was that of sharing the resources of Canada. In the sections of this discussion paper devoted to models for change, there are some indications that sharing may be possible. But this has not been, and is not now, the predominant pattern between non-Aboriginal

and Aboriginal people in Canada. Nor is the Commission optimistic that where power and profit are involved, solutions based on sharing will be easy to find. There will be hard issues of compensation to be adjudicated in the course of any redistribution that is undertaken. The Commission is determined nevertheless to pursue the idea of more equitable sharing in further rounds of public consultations.

Strengthening the Traditional Economy

Non-Aboriginal people and governments have for decades believed that Aboriginal peoples would 'evolve' away from land-based economies and cultures based on hunting, fishing and trapping, toward more 'modern' ways of living. Indeed, many thousands of Aboriginal people now live in towns and cities, working in business and industry.

But traditional ways of living have not disappeared and are not likely to disappear in the future. Many Aboriginal people choose to pursue them, either as their main source of livelihood, or as a supplement to other employment. Even those whose daily lives are far removed from the bush find spiritual renewal in occasional visits to the traplines or fishing camps of their grandparents.

Many presenters argued for support for traditional ways of life and for their extension as the basis of local and regional economies for Aboriginal people living in the more remote parts of Canada. The arguments are made on the grounds of both sound economic practice and cultural affirmation.

Many people in the Northwest Territories... were born in tents and in sod huts out on the land and grew up hunting, trapping and fishing. This has been the lifestyle for the [Inuit and First Nations] people of northern Canada for thousands of years. Although at times there were periods of

hunger and food shortages, Aboriginal people were self-reliant, proud and strong.

As the mineral resources of the Northwest Territories were developed and schools and nursing stations became established, families began to move to larger settlements. Lifestyles changed and wealth became concentrated in a few large centres, primarily in the western Arctic....

However, I am convinced that the key to our survival as a people continues to lie with the renewable resources in the North. The wise use of the resources has the potential to develop a more diverse and stable economy. By restoring wealth to people generally, Aboriginal communities will again become self-reliant, strong and proud.

The use of renewable resources remains important to the people of the Northwest Territories. Our Native cultures and social systems are based on obtaining a living from the land. Fish and wildlife provide food, a source of income and, most importantly, a way of life.

Joe Handley, speaking on behalf of the Hon. Titus Alooloo, Minister Northwest Territories Department of Renewable Resources Yellowknife, N.W.T., 9 December

There is a belief [expressed in government studies] that the land is empty, and it is not being used.... Our community was quite disturbed by this, and...got together a program to show it wasn't true.... Several years ago the Métis community of Pinehouse undertook the most comprehensive harvest study and mapping program ever done.... It turned out that 35.1% of the total [community] income for that year [1987] came from the bush....

I think it's important to note that none of this is value added.... It could be much higher than 35% if dollars were put into a fish plant here for frozen fish sticks or whatever, and a lot of different ideas for investment that could be made on a community basis to enhance the bush.

Marie Symes Grehan Pinehouse Métis Society Local Ile-a-la-Crosse, Sask., 8 December

Contrary to the common assumption by non-Aboriginal people and governments that traditional economies would yield eventually to 'progress', it is now argued by some economists that many of the people on the peripheries of industrial nations cannot realistically expect ever to join the global market economy, even if that was their wish. Subsistence production may be a necessity as well as a preference for such people, as it is today for some Aboriginal people in sub-Arctic and Arctic Canada.

But Aboriginal people have made it clear to the Commission that they want choice. Where business and industrial development is possible, and especially in urban Canada where it is the only option, it is important that employment opportunities and business development prospects for Aboriginal people be expanded.

Access to the Modern Economy

The economy of Canada has not, in recent years, been able to meet the employment and income needs of all its citizens. Nor do the problems of modern economies stop at the Canadian border. Although countries everywhere are finding it difficult to restructure their economies to permit self-sufficiency for all their citizens, Aboriginal people face some particular problems.

They have been largely excluded from the education, training and employment opportunities that have been available to other Canadians. Special support programs may be starting to make a difference for some, but by no means for all. Presentations to the Commission made clear the need for more and better designed education, training and business support programs — for students, adults, businesses and whole communities.

The Southeast Region of the Manitoba Métis Federation believes that with the proper environment, Métis people can flourish in business. What is needed are three things: first, access to capital; second, access to a market; third, access to ongoing management and technical skills.... [We] believe that only through this three-pronged approach to developing Métis business will the proper environment be created which will allow our latent commercial spirit to flourish.

Denise Thomas Manitoba Métis Federation Fort Alexander, Man., 30 October

We need additional funds to continue to make improvements in the Arctic College programs such as management training, trades and upgrading programs...so that the young people within our region can work for the various organizations that will be created out of land claims. We have also been stressing that we want Inuit to become the work force when the Nunavut government is in place....

Second, in the area of financial support for business development, in light of the mining development being one of the projected activities within our region within the next couple of years, we need financial initiatives coming from federal and territorial governments in order for our local businesses to fully take part in contracts for services, employment and transportation.... Financial initiatives, I think, are the key in the development of our local businesses because we in Kitikmeot have always had a hard time with the banks.

Alan Maksagak Kitikmeot Inuit Association Cambridge Bay, N.W.T. 17 November

Governments should help by providing employment in the Public Service at the same ratio as other Canadians. Fourteen per cent have public sector jobs in P.E.I.

compared to 1 per cent of Natives. These jobs build the economy of a people slowly by improving employment habits, providing much needed experience and exposure to technology, increasing incomes, helping to establish an individual and common equity base.

Graham Tuplin Native Council of P.E.I. Halifax, N.S., 3 November

Training has become a popular strategy for promoting economic development in recent times, although not an easy one to implement effectively. Aboriginal people have made it clear that they want greater access to training opportunities, not just as tokens but in a very serious way. They want the development plans for their lands and their regions to make such opportunities a priority. This is an especially important theme in relation to the future for Aboriginal youth.

Models for Change

The pressing need to relieve the burdens of poverty and welfare dependence for Aboriginal people and communities has sparked a number of complex and thoughtful approaches to the development of self-sufficiency. Even so, the Commission is aware that attainment of the multi-faceted economic vitality that Aboriginal people are seeking will be an on-going struggle. The goal has eluded planners, economists, business people, ordinary citizens, and members of government for many years. Some of their continuing efforts are visible in models for change already presented to the Commission.

A Trilateral Management Agreement

Disputes between Aboriginal and non-Aboriginal people about the 'ownership' and proper use of natural resources have a long and bitter history in Canada. For that reason, the Commission has been interested to hear about

models for the co-management of resources such as fisheries and forests that are beginning to develop. The benefit they seem to offer is that they bring all interested groups (federal, provincial and Aboriginal) to a common table for decision making. The problem they may face is the willingness of the parties to abide by the terms of agreement negotiated.

The Trilateral Agreement [for comanagement of the forest resource] covers a 10,000 square kilometre territory within La Verendrye Park, where some 450 Algonquins have lived as a community for countless generations. The objective of the Agreement is to reconcile the forestry operations of the various companies operating in the area with the environmental concerns and traditional ways of life of the Algonquins of Barriere Lake whose home it is.

Thus, the Trilateral Agreement is a trailblazer in that it...provides for a common working environment, a working partnership, through which an Aboriginal community and Canadians at large can interact in mutual respect of each other.

It establishes an important scientific and technical experiment, providing for the protection of environmentally and culturally sensitive zones during the forestry operations, as well as measures to harmonize these with the traditional ways of the Algonquins. It will be completed by an integrated resource management plan, the findings from which will serve to amend forestry operational methods as well as relevant legislation and regulations to make them compatible with the notion of sustainable development.

It [is thus] an important educational and operational model, not only for the rest of Canada, but also for the world at large....

I commend the [principles of] the Trilateral Agreement as a model of comanagement and reconciliation. They represent a systematic process of implementing First Nations' participation in economic and resource management decision making affecting their traditional lands, and in this respect it is a model for the practical realization of self-government. It can be useful as a model and pilot project for other parts of Canada.

Clifford Lincoln, Special Representative for the Algonquins of Barriere Lake Maniwaki, Que., 2 December

Renewable Resource Development by Government

The Commission heard many presentations about the need for control of non-renewable resource exploitation on Aboriginal lands and for greater access by Aboriginal people to the benefits of such exploitation, where it is well managed. But we have also been told that some Aboriginal people prefer to work in the traditional sector: hunting, trapping and the like. The question that is raised is whether the activities they are happiest to pursue can provide an adequate living for them and their families as well as satisfaction.

The government of the Northwest Territories has invested a considerable amount of time and resources in finding ways to answer in the affirmative. Part of its integrated plan is quoted here. It includes a form of co-management involving shared knowledge between scientists and hunters.

About 15 years ago, the [Renewable Resources] Department of the government of the Northwest Territories began providing funding to form a Hunters and Trappers Association or, as we call them, HTAs in each community. These associations became the focus for the Department to discuss management ideas and to learn about community needs and concerns....

One step the Department took was to have biologists and renewable resource

officers hire local hunters and trappers to assist them with field work. As staff and residents worked with each other and developed trust, information was shared among them. Not only did our staff discuss management techniques, but local hunters and trappers talked about the knowledge that they and their Elders had gained by observing the land and animals they relied on....

The Department's first successful model of co-management was the Beverly and Kaminuriak Caribou Management Board....

The Board's mandate was to advise governments and users on caribou management, research and monitoring of caribou habitat. One of the biggest achievements has been the completion and integration of a management plan for these two great caribou herds.

As we followed the progress of the Board, the Department learned several lessons about what is needed to make comanagement boards successful.

First, the users and management agencies must agree on the same goal in order to make a management decision or recommendation.

Second, both users and management agencies need to be informed about issues to make good decisions. Education takes time and money which the government must be prepared to provide. Technical terms need to be presented simply so they can be understood and translated. Wherever possible, information has to be provided in the Native language.

Third, users and management agencies must trust each other in order to work together. Honesty and patience are required as it can take time to develop that trust.

Fourth, meaningful participation by users is expensive, but we need to believe that benefits outweigh the costs....

By encouraging the involvement of residents in renewable resource management, the Department has not compromised its mandate of managing resources. There are two reasons. Even within land claim agreements, the Minister of Renewable Resources retains the final say in accepting management decisions. The second reason is that both the residents and the Department have the same goal of wise use of resources.

Joe Handley, speaking on behalf of the Hon. Titus Alooloo, Minister Northwest Territories Department of Renewable Resources Yellowknife, N.W.T., 9 December

An Aboriginal Loan Program

Access to financing for business initiatives has been a major problem for Aboriginal entrepreneurs, whether their businesses are small or large. Formal restrictions and negative stereotypes interfere with the normal credit arrangements available to other Canadians. One innovative response has been that of the Calmeadow Foundation, a private family foundation dedicated to fostering economic self-sufficiency for the self-employed. It has developed the Native Self-Employment Loan Program to support small-scale entrepreneurial activities by Aboriginal people.

At the end of 1989 there were 107 loans advanced in the three communities, over \$138,000 in total, with no defaults.... There are currently 12 community-run micro-enterprise loan funds actually lending money... and 10 other communities that have made the commitment to begin the process....

This is how it works. The community raises 25 per cent of the cash required to secure an operating line of credit. The First Peoples' Fund guarantees 50 per cent of the line and makes arrangements with the participating financial institution to provide a line of credit for four times

the amount of the community security. This line of credit serves as the community's loan fund.

Potential borrowers form circles of four to seven individuals — business owners or potential business owner operators — who in effect co-sign or guarantee each other's loans. That is, if one person gets a loan, each of the other circle members have approved that loan and have agreed that they will pay off the loan if the borrower does not. Each of the circle members understands that if a loan is defaulted by someone in their group there will be no more money advanced to any member of that circle until the loan has been paid in full by the borrower and/or by the circle....

While the program is basically an economic development initiative, perhaps the most important by-product is the self-respect that comes from building your own successful small business and from being part of the leadership within the community to make that happen. It is the pride in the independence and a way to perceive oneself to encourage the microentrepreneur to be successful in all aspects of their lives.

LaShelle Brant First Peoples' Fund of Toronto Toronto, Ont., 3 November

A Partnership with Industry

In some places, sometimes as a result of pressure from Aboriginal people, business and industrial concerns have begun to consider ways to encourage greater participation by Aboriginal people. In the case of the major forest company, Weyerhaeuser Canada, local managers in the Merritt area of British Columbia, acting with the encouragement of senior management, have come up with plans to develop a long-term working relationship with the Aboriginal people of nearby communities.

Briefly, some of the successes that we see to date include providing on-the-job training. We have established a Native silviculture crew; shared future development plans; committed to opportunities for new employment; have openly discussed opportunities for joint ventures and partnerships; discussed job shadowing, internship and training. We have conducted joint forestry tours; attended a cultural tour of the area and, more importantly, have worked out the details of an agreement that outlines how we will continue to work together in the future....

I would like to share with you four key aspects that I believe will be critical to the long-term success of this and other relationships. First, the transfer, understanding and acceptance of Native culture. If we are to live together in partnership and harmony, the people of Canada must open their hearts and their minds in understanding and accepting the cultural values of our Native people. There is also an onus on the Aboriginal community of Canada to open the doors to non-Aboriginal people....

Second, the ability of industry and business in Canada to integrate Native people into the work force, not just in blue collar but, more importantly, in white collar jobs. The success of this integration will depend on our ability to provide much needed education, internship and, ultimately, direct employment....

Third, the opportunities in joint ventures and partnerships.... [To] succeed, these partnerships and joint ventures must be built on long-term economic viability. Capital or equity investment will be required. The banks and financial institutions of Canada must change their views on economic investment within our Native communities.

Fourth, the land claims issue.... Today, the air of uncertainty regarding the settlement of land claims is detrimental to the well-being of Canada. We cannot continue to allow our resources to go undeveloped for their economic benefit or under-utilized for their social and cultural values. I urge the Government of Canada and its provinces to resolve this issue.

Michael Low, Regional Manager Weyerhaeuser Canada Company (Western Region) Merritt, B.C., 5 November

Aboriginal presenters often expressed their frustration that government economic development initiatives seem to place them very low on the priority list. Their sense of neglect contrasts sharply with their sense that all the resources of Canada once belonged to them. One of the most vivid messages they have given the Commission is that self-government will be of no use unless it includes the means to make-self-sufficiency possible too.



Healing



Health is the core of the well-being that must lie at the centre of each healthy person and the vitality that must animate healthy communities and cultures. Where there is good health in this sense, it reverberates through every strand of life.

The Goal: Mending Bodies, Minds and Souls

One of the most significant themes in Round One of the Commission's public hearings was the resolve of Aboriginal people to address the personal and community effects of decades of ill treatment by Canadian governments. These effects go beyond the direct harm done to individuals by the importation of disease and alcohol, by dishonest land and trade transactions, and even by the violence of residential school policies. Specific incidents have been woven into a web of effects, the cumulative impact of countless acts and policies of intentional and unintentional assault on Aboriginal cultures.

Presenters many times expressed their pride that Aboriginal peoples have survived these events and that the struggle to survive has made them strong. But they also said that the negative consequences are pervasive. They underlie the harsh realities of low health status and living standards, family instability and violence, high rates of crime and imprisonment, substance abuse and suicide that trouble many Aboriginal families and communities today.

Presenters told the Commission that change requires both direct and indirect action. As well as the need for more and better health, justice and social services, they see the need to strengthen and rebuild Aboriginal cultures as the foundation for self-assured and self-respecting people and communities. Having withstood the pressures of assimilation for so long, at such great cost, they see in their languages, values, traditions and cultures the source of their endurance — and of their future vitality.

Presenters told us that change will not be easy or quick, for the wounds of the past run deep. Although many Aboriginal people retain a strong sense of their roots and a positive identity, many others are almost lost to themselves and their people. Perhaps no one is undamaged.

This theme in the first two rounds of our hearings leads to the fourth touchstone for change: healing. The notion of healing as a primary objective for Aboriginal people arose in part from the presentations we heard on health issues. When Aboriginal people talk about 'health', they mean something more than the absence of disease and the presence of adequate sanitary conditions — as important as those are. They mean something more than adequate social service provision — as important as that is. They are referring to the core of well-being that must lie at the centre of each healthy person and to the vitality that must animate healthy communities and cultures.

Where there is 'good health' in this sense, it reverberates through every strand of life: education, employment, language, justice, family relations, spiritual values, all.

Many presenters challenged and rejected the more mechanical definition of health as the smooth functioning of body parts that is held by many non-Aboriginal people and reflected in their institutions. The Commission was told that this difference in perspective is rooted in different concepts of the body and its relation to the world.

The western conception of the body is expressed [primarily] in a metaphor [that] holds that the body is a machine.... Scientific thought distinguishes the body from the person, establishes a dichotomy

between the body and the spirit, and separates the individual from the human and physical environment....

The Inuit vision of the body offers a holistic vision of the individual and his or her unity with his/her surroundings, a part of a whole that draws its meaning from the relationships that the human being entertains with whatever is living and whatever surrounds him or her.... It is a model that is characterized by its continuity with the environment, as opposed to the scientific model, which has been characterized as a model of discontinuity....

From the different representations of the body follow certain conceptions of health and illness; certain practices and behaviour, certain customs and conduct in restoring and maintaining health.

Rose Dufour Centre Hospitalier, Laval University Wendake, Que., 18 November [translation]

Many presenters appearing before the Commission explained their vision of health, or wellness, in terms that go far beyond the normal mandates of medical workers and social service providers, echoing the World Health Organization's definition of health in terms of physical, social, emotional and spiritual wellbeing. Their vision is of the comforts and dynamism of a fully flourishing culture.

For a person to be healthy, [he or she] must be adequately fed, be educated, have access to medical facilities, have access to spiritual comfort, live in a warm and comfortable house with clean water and safe sewage disposal, be secure in their cultural identity, have an opportunity to excel in a meaningful endeavour, and so on. These are not separate needs; they are all aspects of a whole.

Henry Zoe Dogrib Treaty 11 Council Tabled brief Yellowknife, N.W.T., 9 December The Medicine Wheel is part of an ancient way of life. Its symbols help us to see, understand and live according to our interconnectedness to each other and all of creation.... The Medicine Wheel also teaches us about the four aspects of our human nature — physical, emotional, mental and spiritual — that must be well developed and balanced for our health and mutual enhancement. When the connectedness is broken, the Medicine Wheel is a means of healing.

Louise Chippeway Aboriginal Advisory Council to the Manitoba Civil Service Commission Tabled brief Roseau River, Man., 8 December

We have to begin to look at ways of helping our people to heal themselves. Once we begin to get over the barrier of alcoholism...we have to begin to help them with the pains and the problems that they have suffered in the past, things such as sexual abuse, mental abuse, spousal abuse. Being alcohol-free is just the first stage. The next level is healing the mind and then the soul....

If we begin with ourselves, then we can begin to help our families...and our communities.

Eric Morris Teslin Tlingit Council Teslin, Yukon, 26 May

Ovide Mercredi has made the statement, "To heal a child is to heal a family, and to heal a family is to heal our nation."

Lynda Prince Northern Native Family Services Stoney Creek, Alta., 18 June

The key to this perspective is the idea embodied in the term 'holistic'. In the view of many Aboriginal presenters, the causes and effects of the high rates of individual illness, high-risk and self-destructive behaviour, alcoholism and drug abuse, family violence and suicide are interrelated. All are results of the same phenomenon: the chain of events set in motion

by the loss of their independence as Aboriginal peoples.

We have seen the destructive forces of 500 years of oppression. We have seen people with loss of identity, not knowing who they really are and trying to deny their Native identity. We have seen what poverty and the failure of the justice system has done, and also the residential school syndrome....

The fallout and the effects of that devastation of the Native people is seen and is read about in the paper, in suicides, in alcoholism, in drug abuse, in family violence, incest and so on.

Connie Eyolfson Strong Earth Woman Lodge Fort Alexander, Man., 30 October

The Commission was told that there will be no fundamental change in these conditions unless and until cultural identity, cultural wholeness, is restored to Aboriginal people. The further message we heard is that no health issue, no justice issue and no social issue can be 'cured' if it is approached in piecemeal fashion. Each must be addressed as part of a chain linking oppression and self-destruction. And 'healing' must come, not from the outside, not from the short-term health and social programs designed in Ottawa and elsewhere, but from Aboriginal people, their traditions and values.

Many Aboriginal people have said that healing in this sense is a prerequisite for selfdetermination and self-sufficiency.

In order for us to be effective, we have to be healthy, we have to be cured, we have to do all this [healing]. Coming from the elders, this is what they have told us, and that is the process we are looking at in the area of self-government. If you don't have healthy people within your communities, it doesn't work.

Chief Rod Bushie Hollow Water First Nation Fort Alexander, Man., 30 October The medicine lodge [that we are developing] could bring about the beginning of a healing process — mentally, emotionally, spiritually, physically, culturally, socially, economically and politically and so on. We can't be successful in self-government, we can't be successful economically, or any way unless we are healthy.

Alma Brooks Wabanaki Medicine Lodge Kingsclear, N.B., 19 May

But the four touchstones for change for Aboriginal peoples are part of a circle. Other presenters argued that self-determination or self-sufficiency is a prerequisite for healing.

The Yukon Medical Association strongly believes that self-determination for Aboriginal peoples is a prerequisite for healing and the development of wellness — wellness meaning of body, mind and spirit. Control of their cultural rights, land resources, education, justice system and health care delivery must come into the hands of Aboriginal peoples first.

Dr. Chris Durocher Yukon Medical Association Teslin, Yukon, 27 May

Elements in the Solutions

The Commission identified five recurring ideas in the approaches to healing put forward by Aboriginal and non-Aboriginal presenters, which ranged from proposals for health and social service delivery to plans for cultural regeneration. The details sometimes overlap, for the principle of holism implies complex inter-linkages among the elements.*

Comparable Standards of Medical and Social Services

Aboriginal ideas about healing are about social, psychological and cultural wholeness, not simply physical health. But many of the presentations, much of the anger, and many of the insights about directions for change start from a critical analysis of basic medical and social services available to Aboriginal people. It has been put to us, as it has been put to investigative panels and commissions preceding us, that Aboriginal people have a right to receive the same quality of health care that is available to others in Canada. Access to services is especially problematic in northern regions and in communities at a distance from urban services. Rapid turnover of nursing personnel creates continuing distress in communities where nursing stations are the only source of medical care. Presenters argued that accessible, culturally sensitive treatment services are a fundamental necessity to deal with the high levels of illness that plague Aboriginal people.

The last two decades have witnessed the emergence of overwhelming disease problems [among our people], such as: cardiovascular disease, respiratory disease, renal disease, poor nutrition, cancers, dental caries, ear, nose and throat infections, high-risk pregnancies, birth anomalies, multiple mental illnesses, poisonings and injuries, communicable diseases, and the reemergence of tuberculosis. Any disease category related to the First Nations is two to three times higher than the national figures....

Nellie Beardy Aboriginal Health Authority Sioux Lookout, Ont., 1 December

The average Canadian is unaware of the degree of ill health in the Aboriginal population in Canada. It is a fact that in

^{*} The Royal Commission held a National Round Table on Aboriginal Health and Social Issues in Vancouver, March 9-12, 1993. A report on the Round Table will be published at a later date.

many areas of this country, the health of Aboriginal peoples is equivalent to poor third world standards.

> Dr. Chris Durocher Yukon Medical Association Teslin, Yukon, 27 May

Improving the statistics on rates of disease and premature death among Aboriginal people is not enough to address the range of concerns identified as barriers to well-being for Aboriginal people. But it is a necessary component of healing in the broader sense.

The provision of resources and services sufficient to equalize living conditions between Aboriginal and non-Aboriginal Canadians was advocated to us just as strongly as comparable standards in medical provision. Not only in Aboriginal communities but around the world, the relationship between poverty and physical and mental health is well known.

Canadians enjoy homes with a lot of rooms, with full finished basements, with water and sewer facilities, central heating, infrastructure to support the community. In Fort Albany, I have 80-year-old elders that struggle to get water from [outside] sources of water, standpipes as we call them. I have them struggling in 40-below weather to empty sewage pails in the places where they can empty them. I have them sitting in houses that are sitting on the ground without a proper foundation, subjected to frost, cold, wind, made of plywood, substandard housing.

That is the difference. They are not Canadians. They are not living like Canadians. We can only ask that we be allowed to live like Canadians.

Chief Edmond Metatawabin Fort Albany First Nation Timmins, Ont., 5 November

Conditions like these are humiliating to the people who must endure them and shameful to Canadian society. Some of the prescriptions for change that have been recommended to the Commission call for direct measures to combat them: more money, more personnel, more facilities, more medicine. But the Aboriginal concept of healing also invites us to look beyond the facts of physical ill health — to look for solutions that encompass all the processes of social and individual change that are needed to renew the vitality of their bodies, minds, souls, communities and nations.

Focus on Self-Esteem

The concept of self-esteem has become something of a buzz word in recent times. Such sudden, intense popularity for a word or phrase suggests that it reflects a new understanding of something that matters to a society. Self-esteem refers to a person's fundamental trust in, and positive regard for, his or her self — the sum total of who he or she is. The Commission was told that low self-esteem is one of the consequences of the colonial experience of Aboriginal people and that high self-esteem is a major goal of the healing process.

Modern medicine [needs to learn] that self-esteem is an important part of being a healthy human being. By feeling good about yourself, by knowing that you have value, that your life means something, you will have the confidence to lead a healthy life.... The best way to improve the health of our people is to make them aware that our Native heritage has a lot of value.

Violet Mundy Ucluelet Band Health Committee Port Alberni, B.C., 20 May

Our society needs to acknowledge the cultural and spiritual confusion and loss which has stemmed partially from the imposition of the residential school system and the adoption of Aboriginal children into non-Aboriginal families. We cannot change this troubled history, but we [at the Westman Women's Shelter] have an opportunity to participate in the healing

process which restores pride, self-esteem, and empowers Aboriginal people to achieve their dreams.

Linda Pinch YWCA Brandon, Man., 10 December

Programs designed by Aboriginal people for their children, whether in school or out, often list the enhancement of self-esteem as one of their primary goals. It is with the children, presenters often told us, that healing should start.

The Mi'kmaq Child Development Centre will provide more than a day care service. The Centre will incorporate a Mi'kmaq cultural component based on the holistic approach whereby the elders of the community will play an active role....

The Centre will also be incorporating a pre-school program whereby the children will be taught not only their language, customs, legends and history but will also be developing positive self-esteem and [pride in] their ancestry. It is hoped that the development of a positive Native identity will prepare the children for integration into the mainstream educational system.

Christine Gibson Mi'kmaq Child Development Project Halifax, N.S., 4 November

We can't deny there are social problems [in Aboriginal communities] such as alcoholism which affect children.... [The solution I am proposing] would work to maintain a child's sense of their Aboriginal cultural heritage and identity and encourage the development of selfworth and self-esteem....

Rediscovery homes would provide shelter and care for the children, plus counselling by Aboriginal counsellors. They would be located in a natural setting. Their basis would be to emphasize Native spirituality, art and music as healing methods.... It's my dream that an Aboriginal child cared for in this way would not grow up ashamed or confused about [his or her] past, but instead stronger and more sensitive because of it.

> Mary Ann Yelle Cross Cultural Information Committee Charlottetown, P.E.I., 5 May

The precise links between individual change and broader social change are difficult to identify. The Commission has heard conflicting opinions from those who believe that one should have primacy over the other. The holistic view suggests that social development and individual growth are both part of the circle of change, each indispensable to the other.

Recognition of Traditional Healing and Traditional Culture

There are many points of contact between healing defined in terms of physiological outcomes and healing imagined as cultural rebirth. One of them relates to the possibility that traditional Aboriginal medicines, cultural practices and ways of solving social problems may be more effective tools for the healing process than programs developed for and imported from non-Aboriginal society.

I remember once sitting down with [the clan leader of the Aniaga] in my office, and he was telling me that all the people [were] going down to the nursing station. They were going down there because they were sick with either chest pains or colds. But while they were walking down there, they were stepping over all the medicine...from the land; they were walking over the medicine that they needed....

When we go to the doctor and the nurse, we give them our power to heal us when we should have the power within ourselves to heal us.

Eric Morris Teslin Tlingit Council Teslin, Yukon, 27 May They view justice totally differently in the North.... They look at people as evolving.... Your character is changing and you are capable of improvement. So their emphasis is more on the healing process than the labelling [and punishing] process that we [use].... The emphasis in their justice is on healing. So it has to be a community-based healing process, where they deal with [offenders] the best they can before [involving the non-Aboriginal justice system].

John Dudley Individual presentation Sioux Lookout, Ont., 2 December

Some Aboriginal presenters emphasized to the Commission the importance of reviving the nearly lost arts of their healers — ancient practices and ideas they may only have heard about — but also spiritual values that were once at the heart of their cultures. They see the full range of traditional practices as valuable for individual recovery and equally valuable as a basis for new systems of health, justice and social services.

Their value may prove to be direct and physical or indirect and psychological — but either way, the fact that they come from the cultures of Aboriginal people themselves, and are not imposed from the outside, is the basis of their power to heal.

The only way for our people to heal is to go back to those original instructions that were given to us, go back to the sacred fires, go back to the wisdom and knowledge that were given to us and apply that to our lives.

> Alma Brooks Wabanaki Medicine Lodge Kingsclear, N.B., 19 May

My grandfather's generation, my parents' generation as well as ours has come to be very dependent on [non-Aboriginal] medical abilities, to the point where our traditional medical interventions are gone

and forgotten.... As an example, our pregnant women were [flown out of the communities] for delivery, which had a very devastating consequence on a family unit that was used to being together during the birth of a child. The separation left the children at times neglected and the husband turning to others for attention. There was no respect or understanding of our traditional midwifery system that had existed for thousands of years.

Fortunately for us today the hospital in Povungnituk has started a midwifery program from scratch that has helped take back some of the [traditional] elements that are needed for a strong family unit.

> Johnny Naktialuk Health Committee Inukjuak, Que., 8 June [translation]

From the beginning, Native health was always handled by the specific tribal groups and normally by the medicine man. As time went by, as European society became more and more imposing on our society, missionaries, at times military physicians and so forth took [over], to a point that the traditional type of healing that existed was [practically] wiped out. Today, in 1992, we are looking again at the possibility of going back to some of the traditional healing techniques that were used in the past.... [If we had the funds], we'd like to bring in a lot more people who would assist us in spiritual healing.

> Lionel Whiteduck Kitigan Zibi Anishinabeg Council Maniwaki, Que., 2 December

Not all Aboriginal presenters were optimistic about the possibility of re-energizing the values and traditions that once lay at the heart of their cultures. Some expressed the fear that it may be too late, that the assimilative powers of the dominant Canadian culture may now have an

unshakeable hold on the ways of thinking, feeling, and being that once gave Aboriginal peoples their unique identities.

Today Native people have very little idea of what their culture is. People don't know what it is because assimilation started in the early 1800s when the missionaries came.... Culture is not only hunting, fishing and trapping. Even white people do that. Chinese people do that. People all over the world do that. There is more than that. There is the spiritual side to culture. The mental side. The physical side. The emotional side. The social side. The economic side....

Today, we don't think like an Indian. Our mind is not as strong as it used to be, even 20 years ago. People talk about culture, traditions, and yet they are stuck to the television. They don't make that extra effort to go to elders...and say, look, can you tell me stories. I want to learn about this. I want to learn about that.... It would take work to go there, so nobody goes any more. We have to take a look at that.... We must make an effort.

Randall Tetlichi Individual presentation Old Crow, Yukon, 17 November

Holistic Approaches to Critical Symptoms

The Commission was told that healing in the broad sense is urgently required to deal with some of the most painful symptoms of past wounds: alcohol and drug abuse, suicide, law breaking, family instability, violence and abuse. Each of these problems, though complex and tragic in particular ways, is seen as the outcome of a common cause — the demoralizing loss of control by Aboriginal people over their lives. As the cause is seen to lie in a web of interrelated events and processes, so must the solutions be holistic.

Alcohol and drugs have served the emptiness of Aboriginal youth, women, elders, leaders, far too long.

Sara Williams Meysncut Counselling Centre Merritt, B.C., 5 November

Often, the deeper root of the problem leading to alcohol and drug misuse is that of low self-esteem, rapid [cultural] change and many other factors like this. So, in short, [substance abuse] is a coping mechanism.

Alcohol counselling and treatment is an important part of treating the symptoms, but it is not always solving the problems that create the situations that need to be coped with.... We [must] recognize and acknowledge that health needs [like alcoholism] can only truly be met by addressing the various factors affecting [them].

Leslie Knight Individual presentation Yellowknife, N.W.T., 8 December

We have recognized the major problem in our community. The abuse in our community is a big problem, and we have to deal with it. We have to start healing within the community of Hollow Water First Nation. If we don't do that, we are going to continue to live [in pain]. So our people have come out and spoken and dealt with the issues in the areas of abuse through this community holistic circle healing program. They have cut the silence off; they have come out and spoken to the leadership, and we are dealing with it.

Chief Rod Bushie Hollow Water First Nation Fort Alexander, Man., 30 October

The catalogue of symptoms and damage described to us is not exhausted here, but what is encouraging is that Aboriginal speakers seem to see signs of reversal as well. Because of the common causes underlying social problems, they see common solutions: self-help and mutual support, culturally appropriate counselling and, above all, fundamental affirmation of each person, community and Aboriginal culture. A tentative optimism appears to be building in Aboriginal communities around the idea of healing. It is part of the work of the Commission further to explore the sources of that optimism and to make recommendations in support of its continued growth.

Aboriginal and Community Control of Programming

The final theme we heard in presentations about healing was that of Aboriginal control. It is a theme that has already surfaced in earlier parts of the discussion of solutions.

As with all the institutions imposed on Aboriginal societies, more than a century of experience with non-Aboriginal health and social services has left Aboriginal people little confidence in their benefits. Even with the best will in the world, the values and practices of outsiders infuse the programs they design — alienating Aboriginal clients and undermining the good intentions of the program designers.

When I first came North, many of the solutions to what I saw as health problems [seemed] easy.... The longer I have stayed in the North, the more complicated that has become because I think, in fact, for there to be true resolution of many of the health issues, the health professionals are not the ones who should be identifying the needs or, in fact, providing the solutions.... Solutions to problems in the communities will most effectively come from the communities themselves and not from outside programs.

Leslie Knight Individual presentation Yellowknife, N.W.T., 8 December

We have been told that the problems are in equal part issues of content and of process.

Bureaucratic processes have rhythms and dynamics that are quite foreign to many Aboriginal people. Their rules may not have sufficient flexibility to respond to the needs of local people and agencies. Program content, if developed in one culture, is difficult to transplant to another without loss of meaning and effectiveness. Further, the process of developing programs may stifle ideas for program content that might arise from the community itself or from Aboriginal caregivers who know their clients best.

In our treatment centre we cannot say what [our money] can be spent on. The government tells us what it should be spent on.... For instance, the government would probably not respect us for using our own traditional medicines within the treatment setting, but those kinds of things [are what work].... It would be nice to see some flexibility in some of these funding schemes. I think we are capable of designing the programs that we feel suit our clients.

Paul Nadjiwan Weendahmagen Treatment Centre Thunder Bay, Ont., 27 October

Often programs set up by Health and Welfare Canada to serve Aboriginal communities cause more harm than relief. Typically, these programs are imposed on Aboriginal communities without consultation and research to best address Aboriginal needs and values.

In addition, the large overhead bureaucracy in Ottawa and...in the province[s] consume a major share of the resources available, leaving Aboriginal communities the task of managing foreign programs with inadequate funding. The design of health services for Aboriginal communities [should be done by] Aboriginal people.

Sophie Pierre Ktunaxa/Kinbasket Tribal Council Cranbrook, B.C., 3 November One of the difficulties that arises in planning for greater control by Aboriginal people of their own health, social and cultural services is the small number of appropriately trained personnel. It is not simply a matter of sending Aboriginal people to non-Aboriginal education and training facilities to learn to do the same job. The jobs themselves would be different, we were told, in systems designed by Aboriginal people. But many presenters agreed that much of the knowledge and many of the skills that now tend to belong to non-Aboriginal people will continue to be valuable and valued in their communities. This suggests that solving the problems of education and training, as well as those of the integration of Aboriginal skills and knowledge, may be a prerequisite for the transition to Aboriginal control.

Models for Change

Commissioners heard description of many models for change — some well developed, some in the early planning stages. It is one of our great privileges that we do hear about them, and it will be a major part of our work to document them. We select only a few to introduce here, as examples of the creative work being done to make healing a reality in Aboriginal communities.

The models described to us focused on women, men or children; on alcoholism, abuse, child welfare, policing or any other starting point; on the past, the present and the future. What they have in common is the centrality of one or several of the elements in the solutions we described in the previous section.

A Holistic Healing Centre

The principles of holistic healing are embedded in traditional practices and spirituality, which were often combined in the programs and service facilities presenters told us about. The Strong Earth Woman Lodge is a holistic healing centre based on Native spirituality and traditional teachings. Holistic healing is the healing of the mind, body, emotions and spirit. Traditionally this is done through sweat lodges, fasting, vision quests, herbal medicines, ceremonial healing with the eagle fan and rattles in which sacred songs and the drum are key components, traditional teachings at the sacred fire, sharing circles, individualized counselling, and guidance and direction through traditional teachings.

The Strong Earth Woman Lodge incorporates any or all of these into an individualized program based on the needs of each client. All clients are instructed in the seven sacred teachings and are encouraged to seek understanding of the four elements — fire, earth, water and air — and the four directions. The seven sacred teachings are respect, love, courage, humility, honesty, wisdom and truth. These teachings are carried by the spirits of the Buffalo, Eagle, Bear, Wolf, Sabe (which is the Giant), Beaver and Turtle respectively.

The Strong Earth Woman Lodge offers 24-hour care service towards holistic healing for grieving, loss of identity and suicide intervention. Native spirituality fills the spiritual vacuum in the lives of people traumatized by residential schools and allows clients to find healing for sexual, emotional, mental and physical abuses....

My point here is that what we have seen and witnessed at Strong Earth Woman Lodge...are miracles in the lives of the people that have come there for healing. No less than miracles.

Connie Eyolfson Strong Earth Woman Lodge Fort Alexander, Man., 30 October

A Locally Designed Childbirth Program

In Inuit communities, the birth of a child has traditionally been a time of celebration and a time to honour the role of women in society — both the woman giving birth and, in years past, the midwife. Health services imported from the south were at first staffed by nurse-midwives, who delivered Inuit babies locally. Then health policy changed, and all Inuit women were sent to southern hospitals to give birth, far from their families and all that was familiar. The community of Povungnituk recently developed a maternity centre so that all uncomplicated births can be safely managed locally. The program was described in a document produced by the Native Women's Association in August 1989.

For all these reasons [of discontent], a maternity centre was established in the Inuulitsivik Health Centre Povungnituk. This means that Inuit women receive care in an Inuit community, and in their own language. The women from Povungnituk (one third of the women served) are in their own community. The women from other villages travel much shorter distances and spend a shorter time away from home, usually staying with friends or relatives. They have access to Inuit foods. It is easier for their husbands or other family members to come and attend the birth....

Four Inuit women were selected by their communities to work together with three white midwives, learning about childbirth and developing programs appropriate to Inuit communities and culture....

We trust our Inuit midwives. We remember that our people have traditionally had these skills. It is important that Inuit women be able to train on-the-job in their community. We

think the program at Inuulitsivik could be a model for this kind of learning.

Native Women's Association Povungnituk, Que., August 1989

An Urban Aboriginal Agency For Child and Family Services

In urban communities, we were told, it is even less likely that Aboriginal people will have access to services that are sensitive to their values or their daily realities. Non-Aboriginal child welfare agencies have been reported to have played a destructive role in the problems of Aboriginal families and single parents, "stealing children from their families" as we were told in Toronto. Often the parents of those children are themselves products of the child welfare or residential school system. In other words, we were told, the adults need healing — not the punishment of losing their children — in order to become good parents.

[Our clients face] a lot of poverty, a lot of addictions. [They are] a lot of young women with really no direction in their own lives, and with life chances that lead to considerable despair.... We find that many of them,...80% of our case load, has been sexually abused....

We now have an interesting healing program called the Mooka Am Program, which loosely translated means a new beginning....

We are in an urban environment where these women are...not successfully assimilated and we are grateful for that, but also at the same time not particularly traditional. So we have had to have a look at what urban culture means, and we found that there are some significant themes within that culture.

We have brought in — interestingly — two different consultants to assist us with

that. One is a traditional teacher...who works with us in providing healing circles for the women. The other is a doctor, [a woman] who is an expert in multiple personalities, which is a dynamic at play with incest survivors. So we incorporate a little bit of the mainstream, a little bit of the traditional and a little bit of our own practical wisdom.

Ken Richard Native Child and Family Services Toronto, Ont., 2 November

An Aboriginal Justice System

The idea that services based on European values have been less than helpful in solving the problems of Aboriginal people and communities is frequently cited in relation to justice. Presenters described both the laws and the people who enforce and interpret them as inappropriate for many of the situations they now handle. The concept of justice that some Aboriginal communities are developing is based on traditional values, such as restitution instead of punishment, and a holistic approach to the problems that may have led to the offence in the first place.

The Tlingit initiative [on justice is about] healing, [not] incarceration.... What is happening in my community [is that] the five clan leaders or their designates sit with the judge at this point in time. They act as advisers in sentencing. They don't need case reports or history.... They know the community inside out.

They act as advisers in sentencing, and their presence in the courtroom is just like a jury, so that none of the legal boys or whoever out there can b-s them.... Just their presence starts to breed in the community a sign of respect for your traditional ways and your traditional values....

You can start speaking about why I have an alcohol problem. Was it because I was sexually abused in the high school or the mission school? What is my real problem? It is working that way....

Also, what's happening is that...[a] correctional centre is being built within my community.... What is not going to take place is that we are not going to have guards walking around in my community. The people and the philosophy that we are going to develop...is a community of healing.

It [will be] a healing centre so that we might be able to take families and whoever [is involved in the offender's situation] and bring them into this healing centre — so that you just don't concentrate on [one person], you concentrate on the family and the peripheral problems of the family and the community.

Ultimately, what we're doing...[is] looking to implement a peacekeepers court that will eventually give us jurisdiction over all summary conviction — by ourselves, for ourselves.

Chief David Keenan Teslin Tlingit Council National Round Table on Aboriginal Justice Issues Ottawa, Ont., November 1992



The final chapter of Focusing the Dialogue brings this discussion paper full circle, back to the first chapter on the relationship between Aboriginal and non-Aboriginal people. Commissioners have been told that healing in the homes and communities of Aboriginal people will increase the possibility of healing in the relationship. And so the circle of change we have heard so much about continues: a new relationship depends on progress toward self-determination and self-sufficiency. These two depend on healing. All are interconnected.

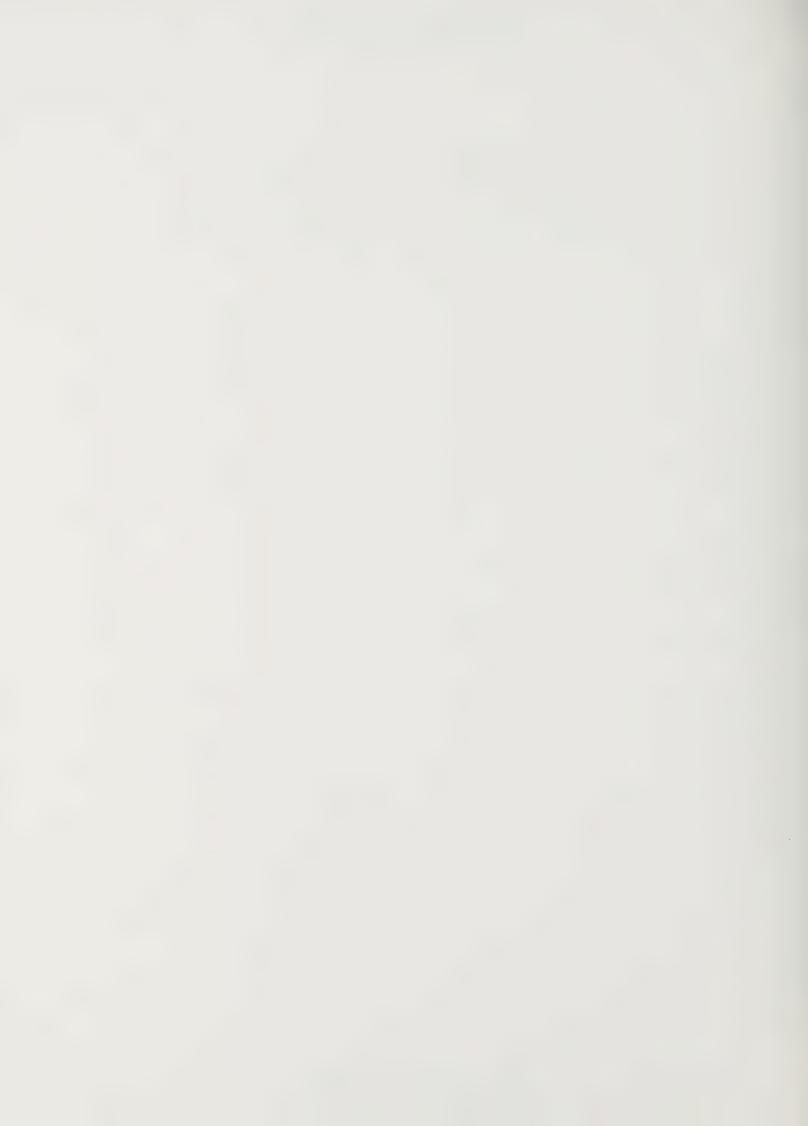
But we heard more. In the new relationship we hope to help promote, Aboriginal and non-Aboriginal people are also connected in a circle. We cannot expect Aboriginal people to heal themselves, to achieve self-determination and self-sufficiency, or to be reconciled with non-Aboriginal people, unless the latter fundamentally alter their attitudes and their institutions as well. All are interconnected.

The goal for change is twofold: transformation in Aboriginal lives and reconciliation with non-Aboriginal people. The four touchstones are perhaps the building blocks.

In the next rounds of public hearings, we would like to focus our discussions on the touchstones and the questions they raise for all of us. They can be put simply:

- 1. Are the four touchstones for change introduced in this discussion paper the new relationship, self-determination, self-sufficiency and healing objectives that should guide us in developing our final recommendations? Are there others as important as these?
- 2. What are the barriers to change in the four aspects of life referred to by the touchstones? How can we remove those barriers?
- 3. What are the solutions that will really work to bring about lasting change in the four touchstone areas?

We look forward to many thoughtful responses.



Appendix

Schedule of Public Hearings - Round Two

Slave Lake, Alberta October 27, 1992

Thunder Bay, Ontario October 27, 1992

Saskatoon, Saskatchewan *October* 27-28, 1992

Kenora, Ontario October 28, 1992

High Level, Alberta October 29, 1992

North Battleford, Saskatchewan October 29, 1992

Fort Alexander (Sagkeeng First Nation), Manitoba October 29-30, 1992

Tobique, New Brunswick November 2, 1992

Toronto, Ontario November 2-3, 1992

Cranbrook, British Columbia November 3, 1992

Halifax, Nova Scotia
November 3-4, 1992

Merritt, British Columbia November 5, 1992

Gander, Newfoundland November 5, 1992

Timmins, Ontario
November 5 - 6, 1992

Cambridge Bay, Northwest Territories November 17, 1992

Old Crow, Yukon November 17, 1992

Wendake, Quebec
November 17-18, 1992

Whitehorse, Yukon November 18, 1992 Rankin Inlet, Northwest Territories November 19, 1992

Uashat, Quebec November 19, 1992

Fort St. John, British Columbia November 19-20, 1992

Maliotenam, Quebec November 20, 1992

Nain, Labrador November 30, 1992

Val d'Or, Quebec November 30-December 1, 1992

Davis Inlet, Labrador December 1, 1992

Sioux Lookout, Ontario December 1-2, 1992

Cartwright, Labrador December 2, 1992

Maniwaki, Quebec December 2, 1992

Manouane, Quebec December 3, 1992

Big Trout Lake, Ontario December 4, 1992

Yellowknife, Northwest Territories December 7-10, 1992

Ile-a-la-Crosse, Saskatchewan December 8, 1992

Roseau River, Manitoba December 8, 1992

Buffalo Narrows, Saskatchewan December 9, 1992

La Loche, Saskatchewan December 10, 1992

Brandon, Manitoba December 10, 1992





